



## Policy Overview & Scrutiny Committee Review Scoping Report

### **Disposal of Charity Shop Waste through New Years Green Lane Civic Amenity Site**

#### **1. REVIEW OBJECTIVES**

##### **Aim and Background to review**

The review seeks to make Members aware of the growing amounts of charity shop waste being disposed of by the Council, free of charge, and to explain the legislative background relating to this type of waste disposal.

The disposal of mixed waste currently costs the Council £130 per tonne and so Charity shop waste disposal has an appreciable financial impact for the authority. Whilst there are local charities that benefit from this, there are also charities from outside the Borough who use the Council's Civic Amenity Site at New Years Green Lane.

Whilst any review will need to be balanced against the beneficial nature of the work carried out by many charities, after considering all the information, options and witness testimony, it is hoped that Members will develop suitable recommendations to Cabinet around the continuation or otherwise of the current situation.

##### **Terms of Reference**

1. To examine fluctuations in the tonnages of waste disposed of through New Years Green Lane over the past 3-4 years and how this has changed;
2. To examine the current and predicted future disposal costs to the Council;
3. The activities of the various charities bringing waste to New Years Green Lane, for disposal, where these charities operate in the main and what beneficial work is done by the charities in the Borough;

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4. To look at options available, in terms of allowing disposal and ways of mitigating costs if appropriate and report to Cabinet as appropriate.

## **2. INFORMATION AND ANALYSIS**

Disposal of waste from charity shops is currently permitted by the Council, free of charge, at New Years Green Lane. This is a long standing arrangement and is common amongst local authorities that operate waste disposal or civic amenity sites.

Some charities have started to dispose of greater and greater quantities of waste through New Years Green Lane. Quantities brought into New Years Green Lane (NYGL) are thought to be increasing because neighbouring authorities are charging charities for using their sites.

This waste is likely to be arising from charity shop activity in Buckinghamshire or Hertfordshire and possibly other London Boroughs. Some of the charities using NYGL are therefore not actually 'residents'. i.e. their retail shops are outside the borough.

Some charities may undertake house clearances. Any items that can be usefully sold are transferred to the charity shop and the remainder is disposed of as mixed waste. As the charity does not charge the house owner for doing this, the Council then picks up a cost that would normally be carried by either the estate of the deceased or a waste clearance company. The charity could adopt a different approach to avoid this.

### **Key Information**

#### Legal Position

Although the Council should collect domestic waste that has been donated to the charity shops for free under Section 45 of the EPA 1990, using definitions given in the Controlled Waste (England and Wales) Regulations 2012 there is scope to charge for depositing waste at NYGL site.

Under section 51 subsection 3 of the EPA 1990:

'A waste disposal authority may include in arrangements made under subsection (1)(b) above arrangements for the places provided for its area for the deposit of household waste free of charge by residents in its area to be available for the deposit of household or other controlled waste by other persons on such terms to payment (if any) as the authority determines'

#### Financial Cost

The rate for disposal of mixed waste by WLWA is £131 per tonne. The waste delivered by the various charities into New Years Green Lane in the financial year 15/16 and its cost to the Council is as follows:

RSPCA = 115.6 tonnes - £15,143

Trinity = 77.02 tonnes - £10,089

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Thames Hospice = 44.82 tonnes - £5,871  
Harlington Hospice = 8.62 tonnes - £1129  
Michael Sobell = 7.82 tonnes - £1024  
P3 = 7.38 tonnes - £966  
Hillingdon Partnership = 0.44 tonnes - £57.64

The total weight was 262 tonnes, costing a total of £34,279 to dispose of. If this waste had been treated purely as trade waste, where the rate per tonne is £160, this charity waste would theoretically have bought in revenue of £41,872, with a notional profit element of £7,593.

## **Responsibilities**

This review will concern the Council's Waste Services Function in Residents Services. The Cabinet Portfolio is Planning and Recycling. External organisations involved are regional and national charities.

## **4. EVIDENCE & ENQUIRY**

Disposal data will be provided by Waste Services on tonnages of charity waste delivered to NYGL over a time period of around 3 years. Information on the practices of surrounding boroughs will also be presented to Members. More detail will be provided on the legal position and how the law applies to different types of waste disposal and the charging regimes currently in place.

### **Witness testimony**

Witnesses may be invited from national charity organisations, as well as local charities or umbrella organisations. Also from neighbouring local authorities.

### **Lines of enquiry**

It may be pertinent to enquire as to other charging regimes at other local authority sites. Information on the locations of charity shops within the Borough will assist with the review and also, where there are no shops operating in the Borough it may be pertinent to hear of examples where assistance to Borough residents has been provided by charities.

The business practices of charities that undertake house clearances could be analysed, with emphasis on the potential for unnecessary creation of waste for disposal by the authority that might ordinarily have been disposed of by local businesses.

### **Emerging conclusions or themes for development**

If Members are minded to recommend changes to the status quo on charging, as it becomes apparent which charities are operating in the Borough and which bring in waste from the outside, because other Councils are charging, it might be useful to consider allowing only certain charities to use NYGL free of charge.

Alternatively, as the position becomes clearer, it may be worth considering the introduction of an annual allowance for all charities, below which they do not pay. Charges might then

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be levied and directed more towards the bigger operators, who may be in a position to afford to contribute to either some or all of the cost of their waste disposal through NYGL

## **5. REVIEW PLANNING & ASSESSMENT**

Proposed timeframe & milestones for the review up to Cabinet and beyond in terms of monitoring:

<b>Meeting Date</b>	<b>Action</b>	<b>Purpose / Outcome</b>
21 September 2016	Agree Scoping Report and to be provided with background information	Information and analysis
27 October 2016	Witness Session 1 - Representative from a neighbouring Waste Management Service and representatives from national and local charities	Evidence & enquiry
22 November 2016	Witness Session 2 - Representatives from charities	Evidence & enquiry
10 January 2017	Draft Final Report and suggested recommendations	Proposals – agree recommendations and final draft report

\* Specific meetings can be shortened or extended to suit the review topic and needs of the Committee

### **Resource requirements**

None

### **Equalities impact**

It is possible that if changes are made following this review, smaller local charities could be impacted financially. This and the possible knock on effect on reduced charitable activity for some groups of residents should be considered.

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