

Portfolio Holder Decision

Waste Upholstered Domestic Seating Charges Report 2023/24

Portfolio Holder	Portfolio Holder for Environment, Climate & Culture
Date of decision	27 October 2023
	Signed by the Leader in the absence of the Portfolio Holder. 

1. Recommendation

- 1.1 That the Portfolio Holder for Environment, Climate and Culture approves the proposed charges for waste upholstered seating for 2023/24 as set out in this report.

2. Reasons for decisions

- 2.1 From 1 January 2023 waste upholstered seating e.g. upholstered sofas and chairs could no longer be landfilled and as such additional treatment and transport charges should now apply to commercial upholstered seating waste.
- 2.2 Household waste is accepted by local authorities without charge (Section 51, [Environmental Protection Act 1990 \(legislation.gov.uk\)](https://www.legislation.gov.uk)). Therefore, members of the public bringing upholstered seating to a Warwickshire Household Waste Recycling Centre (HWRC) in a car from their home will not be charged as this is household waste and is accepted for free.
- 2.3 However, there are significant costs involved in disposing of upholstered seating in the ways required, following the changes in January 2023. In order to recover those costs, it is proposed that commercial upholstered seating charges are increased to ensure that they remain appropriate taking into account the costs of disposal.

3. Analysis

- 3.1 Warwickshire County Council as a Waste Disposal Authority has the duty to provide “free to access” HWRCs (Household Waste Recycling Centres) for the deposit of household waste by householders. Commercial waste and certain types of waste which are not classified as household (for example where a householder has a large quantity of rubble or wants to bring waste in a commercial vehicle such as a van) is chargeable.
- 3.2 Two of our HWRCs - Princes Drive and Hunters Lane – have weighbridges and can charge by weight. The other HWRCs which do not have weighbridges allow commercial waste to be delivered and paid for on a by-volume basis.
- 3.3 In August 2022, the Environment Agency sent a letter to Local Authorities regarding Waste Upholstered Domestic Seating (sofas, upholstered chairs etc.) containing Persistent Organic Pollutants (POPs).

This letter said that:

- a. Persistent Organic Pollutants (POPs) remain intact in the environment for long periods, and if not disposed of properly become widely distributed geographically. They accumulate in the fatty tissue of humans and wildlife and have harmful impacts on human health and on the environment.
 - b. The Environment Agency has undertaken an investigation and confirmed the widespread presence of large quantities of Persistent Organic Pollutants (POPs) and other hazardous chemicals in both the textiles and foam of upholstered domestic seating.
 - c. The law requires that POPs in waste are destroyed to prevent lasting environmental harm and impacts on the food chain. This means waste containing POPs must be incinerated and must not be re-used, recycled or landfilled.
- 3.4 Prior to 1st January 2023, Warwickshire County Council were sending the majority of upholstered seating waste from both bulky waste collections carried out by the District and Borough Councils and items brought to the HWRCs to landfill. The Environment Agency wrote to landfill operators and said they should not accept any Waste Upholstered Domestic Seating from 1st January 2023.
- 3.5 The Council has been able to transport separated household upholstered seating waste to Lower House Farm Transfer Station and then via additional bulk haulage, to the W2R Four Ashes Energy from Waste Plant in Staffordshire. However, the facility is not able to accept additional commercial items and haulage costs are expensive.

- 3.6 Warwickshire County Council have carried out soft market testing and investigated possible options for the safe disposal of additional commercial upholstered seating from businesses and charities.
- 3.7 The County Council, as a Waste Disposal Authority, can apply charges to certain waste materials i.e., commercial waste and non-household charity waste which is accepted at our waste transfer stations and in smaller quantities at our HWRCs. There is a well-established system of deciding charges and the charges for other waste types for 2023/24 were approved at the Portfolio Holder decisions meeting on 17 February 2023.

Method of calculation

- 3.8 The Council has considered the costs associated with accepting, storing, transporting and processing commercial upholstered seating waste and calculated that these total approximately £550 per tonne. This includes costs incurred for container provision, weighbridge transaction, transfer note, staff time and administration.
- 3.9 The proposed charges in Annex 1 are based on the average weight of certain upholstered seating items. Whilst the Council recognises it has a duty to provide accessible places and services for local businesses there are operational restrictions at HWRCs and transfer stations that are already busy and focused on delivering quality services to members of the public. The proposed charges reflect these challenges and the need to reimburse the Council for time and resource. It is recognised that private sector operators are potentially better able to deliver a commercial service especially for large quantities of upholstered seating waste.
- 3.10 It is proposed that for households using a commercial vehicle (for example bringing a sofa in a van) that the £12 per bulky item charge currently in place remains and this charge will apply instead of, rather than in addition to, the charges in Annex 1 for domestic users.

4. Financial Implications

- 4.1 The costs of accepting upholstered seating waste from commercial bodies have been calculated to cover the costs associated with accepting, storing, transporting and processing these items as well as being at a level that is acceptable in the marketplace. The proposed charges can be found in Annex 1.
- 4.2 Warwickshire County Council has a Vehicle Restriction Policy which means that waste brought to HWRCs in vans or other commercial vehicles is regarded as commercial waste. However, it is proposed that where households bring upholstered seating waste such as a sofa, but do so using a van, the full commercial upholstered seating rate should not be charged. Instead, households should continue to be charged the existing £12 per bulky item as approved in the 2023-24 Waste Fees and Charges Report.

5. Environmental Implications

- 5.1 The restriction on sending upholstered seating to landfill arises due to concerns over the environmental impact of Persistent Organic Pollutants (POPs) such as fire-retardant chemicals in certain upholstered seating. Disposing of these items in an Energy Recovery Facility destroys these POPs to prevent lasting environmental harm and impacts on the food chain.
- 5.2 The Council's commercial waste service offers the facility for local traders and businesses to recycle and dispose of their non-household waste in compliance with their waste duty of care and other environmental legislation. The Council wishes to offer local businesses the opportunity to safely dispose of upholstered seating where local treatment options for this waste stream are currently difficult to find. Providing local services that allow for the correct disposal of waste and treating upholstered seating via Energy Recovery is in line with the waste hierarchy and provides a safe disposal route for this waste stream. The Council will also continue to investigate outlets able to recycle (for example the metal fraction of upholstered furniture) or reuse upholstered seating before it becomes waste, and this could benefit the environment by reducing pollution, reducing the use of raw materials and reducing carbon emissions.

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Portfolio Holder	Councillor Heather Timms Portfolio Holder for Environment, Climate & Culture

Urgent matter?	No
Confidential or exempt?	No
Is the decision contrary to the budget and policy framework?	No

List of background papers

Annex 1 – Proposed Charges for Commercial Waste Upholstered Domestic Seating

Members and officers consulted and informed

Portfolio Holder – Councillor Heather Timms

Corporate Board – Virtual Report

Communities DLT (Directorate Leadership Team)

Legal – Nichola Vine

Finance – Virginia Rennie

Procurement – Mark Baker

Equality – Delroy Madden

Democratic Services – Deborah Moseley

Councillors – Councillors Jeff Clarke, Jonathan Chilvers, Sarah Feeney, and Jenny Fradgley

Local Member(s): N/A – This is a countywide matter

Annex 1 – Proposed charges for commercial upholstered seating waste

Item	Weight	Calculation weight	Proposed charge for commercial customers per item
3-seater sofa	60kg to 80kg	80kg	£50
2-seater sofa	50kg to 60kg	60kg	£40
Single armchair	30kg to 40kg	40kg	£35
Recliner/ Lazy boy single armchair (metal frame and workings)	50kg	50kg	£35
Recliner/ Lazy boy 2-seater sofa (metal frame and workings)	80kg	80kg	£50
Office chair	20kg	20kg	£15

If commercial customers would like to pay for several items by weight, then the suggested charge is £600 per tonne.