

**AGENDA ITEM No. 10(e)**

**NORTH LANARKSHIRE COUNCIL  
REPORT**

<p>To: ENVIRONMENTAL SERVICES COMMITTEE</p> <hr/> <p>From: DIRECTOR OF ENVIRONMENTAL SERVICES</p> <hr/> <p>Date: 23 February 1998</p> <hr/> <p>Ref: WB/SP</p>	<p>Subject:</p> <p style="text-align: center;"><b>Scottish Environmental Protection Agency</b></p> <p style="text-align: center;"><b>PROPOSALS FOR THE WASTE MANAGEMENT LICENSING ETC. (FEES AND CHARGES) (SCOTLAND) SCHEME, 1998</b></p>
---	---

**PROPOSED DECISION :**

To agree to the recommendations contained in the report.

**FINANCIAL CONSIDERATIONS :**

The level of charges proposed in the Scottish Environment Protection Agency's draft scheme for fees and charges would result in an increase of fees of £4,175 over those which would have been applicable this year.

**BACKGROUND :**

S.E.P.A. are the regulatory body responsible for issuing Waste Management Licences for waste disposal and treatment sites such as the Council's two landfill sites and seven Civic Amenities Sites.

Based on the principle of "polluter pays" S.E.P.A. is empowered in terms of Section 41 of the Environment Act 1995 to make schemes for fees and charges. Accordingly, operators are charged for the issue of site licences and have annual subsistence fees levied on them. These charges and fees are intended to finance the supervisory role of S.E.P.A., including regular site visits and the taking of samples.

The Council have been invited by S.E.P.A. to submit comments on their proposals for a 1998 scheme and these comments form the basis of the report.

**REPORT :**

1. As the two landfill sites and seven Civic Amenities Sites continue at present to operate in terms of Site Resolutions and not Waste Management Licences, we are not subjected to annual subsistence fees. However, as the issue of Licences is imminent, funds have been proposed in the Departmental Budget for next financial year in anticipation of the imposition of subsistence fees.

-2-..1

However, while readily accepting the principle of "polluter pays", the proposal to increase the charges from the 1997 level by 20% is considered to be excessive. This opinion is reached at a time of severe financial constraints being placed on Local Authorities and at a point in the year when Budget proposals for the next financial year have been submitted with no provision for such a large increase.

2. The proposal to charge additional sums of money for subsistence fees for sites which handle bonded asbestos requires to be looked at on a wider context. As stated in S.E.P.A.'s proposals, bonded asbestos is a special waste in terms of the Special Waste Regulations, 1996. However, it is generally accepted that, if reasonable precautions are taken, there is little risk from bonded asbestos. Indeed, S.E.P.A. in their document state that "it does not cause a significant increase in the time taken to inspect sites accepting that material". The public would be better served if bonded asbestos was not classified as a special waste. Declassification would result in lower costs being incurred by the Local Authority and a reduction in the likelihood of bonded asbestos being indiscriminately dumped by members of the public who have restricted access to licensed sites.

### RECOMMENDATION

The Committee is asked to agree to the comments contained within the Report and to homologate the action taken in submitting these comments to the Scottish Office as representing the Council's views.

*M'Kenzie L. Hutton*

**Department of Administration**

PO Box 14  
Civic Centre  
Motherwell ML1 1TW

Our Ref: CA/ES/32/3/ASH/MT      Contact: Mr. Ashley  
Your Ref: See Below              Telephone: 01698 302445  
Date: 25 February 1998          Fax: 01698 275125

*Director of Administration  
John O'Hagan*

Your Ref: MPH/DMM/VD/LR/430/030/020/070

Mr Ian McDougall  
Environment Protection Unit  
Scottish Office Agriculture  
Environment and Fisheries Department  
Area 1J - Victoria Quay  
EDINBURGH EH6 6QQ

Dear Mr. McDougall,

**Scottish Environment Protection Agency  
Proposals for the Waste Management Licensing Etc. (Fees and Charges) (Scotland) Scheme 1998**

I refer to the letter of 21 January, 1998 from the Scottish Environment Protection Agency detailing proposals relating to the charging scheme for waste management licensing.

On behalf of North Lanarkshire Council I would offer the following comments on the proposals:-

The Council's two landfill sites and seven Civic Amenities Sites continue at present to operate in terms of Site Resolutions and not Waste Management Licences and are not subject to annual subsistence fees. However, as the issue of Licences is imminent, funds for this purpose will be considered as part of the Council's budget process for the next financial year in anticipation of the imposition of subsistence fees.

However, while readily accepting the principle of the "polluter pays", the proposal to increase the charges from 1997 level by 20% is considered to be excessive. This opinion is reached at a time of severe financial constraints being placed on Local Authorities and at a point in the year when budget proposals for the next financial year have been submitted with no provision for such a large increase.

The proposal to charge additional sums of money for subsistence fees for sites which handle bonded asbestos requires to be looked at on a wider context. As indicated in the proposals, bonded asbestos is a special waste in terms of the Special Waste Regulations, 1996. However, it is generally accepted that, if reasonable precautions are taken, there is little risk from bonded asbestos. Indeed, it states in the proposals that "it does not cause a significant increase in the time taken to inspect sites accepting that material". The public would be better served if bonded asbestos was not classified as a special waste. Declassification would result in lower costs being incurred by the Local Authority and a reduction in the likelihood of bonded asbestos being indiscriminately dumped by members of the public who have restricted access to the licensed sites.

I trust that the Council's observations will be of value to you.

Yours sincerely,



**Director of Administration**

cc. Chief Executive  
Director of Environmental Services