Cabinet – 24 October 2018

Household Waste Recycling Centre opening hours

Portfolio: Councillor Louise Harrison – Clean and Green

Related portfolios: None

Service: Clean and Green Services

Wards: All

Key decision: Yes

Forward plan: No

1.0 Summary

- 1.1 Following the change of administration in May 2018, officers were asked to consider ways in which fly-tipping can further be addressed; in particular, the extension of opening hours for the borough's Household Waste Recycling Centres (HWRCs) at Fryers Road, Leamore and Merchants Way, Aldridge. The Clean and Green team was accordingly tasked with reviewing the opening hours of the HWRCs and also the charge for the collection of bulky items and asked, in partnership with other teams, to deliver options aimed to reduce the levels of fly-tipping across the borough.
- 1.2 Figures from 'Flycapture', the national database into which local authorities feed information about fly-tipping, show that in Walsall, fly-tipping had an indicative cost to the public purse of in excess of £426,000 in 2017/18. This money would otherwise be available to invest in services.
- 1.3 Reducing fly-tipping in Walsall would be welcomed by residents and businesses. As well as the impact on the public purse, and the opportunity cost of other much valued services which could have been provided, fly-tipping is a blight on both residential areas and also business areas where it may detract from investment.
- 1.4 On 5 September 2018 Cabinet received a report entitled 'Addressing flytipping in Walsall' regarding a series of three trials which are part of the strategy to reduce fly-tipping within the borough. The trials are:
 - **a. Free bulky item skip days**, a 10 week trial: 21st January 2019 to 31st March 2019
 - **b. Revised HWRC opening times**, a 13 week trial: 1st April 2019 to 30th June 2019

- **c.** Free bulky collections at kerbside, a 13 week trial: 1st July 2019 to 29th September 2019
- 1.5 Following public interest in the trials surrounding the September Cabinet decision, officers were asked to consider whether any of the trials could be brought forward to begin sooner than previously intended. Subsequently it has been determined it would be appropriate to bring forward the free bulky kerbside collection trial, allowing the proposals to reduce fly-tipping to commence and be evaluated as soon as possible, while preserving breaks between trials to consider effectiveness. Recommendation 2.3 in this report confirms the new date for the commencement of this trial this month, November 5th for a period of 6 weeks.
- 1.6 The remainder of this report deals specifically with increasing the opening hours at the HWRC sites, save for section 3.5 and appropriate financial commentary relating to recommendation 2.3
- 1.7 In order to measure the effectiveness of increasing the opening hours at the HWRC sites it has been determined that it would be prudent to carry out a trial to assess changes in the levels of fly-tipping. It is proposed the trial will take place for 13 weeks from the 1 April 2019 to 30 June 2019.
- 1.8 During this Trial the increase or decrease in fly-tipping and the levels of waste arising at the HWRC sites will be monitored for a further report to be considered by Cabinet at a future date.
- 1.9 This report advises members of the costs and implications of increasing the opening hours at both sites on a trial basis.
- 1.10 Should the trial be successful, this report also covers the costs and options of opening the HWRC sites on a permanent basis for seven days per week, as reduced by previous budget savings processes.
- 1.11 Should the trial be successful, opening both sites seven days per week would be a key decision in accordance with Executive Procedure Rules set out in Part 4 of the Constitution, as the cost of reinstating the opening days and increasing late night opening hours will require significant additional expenditure (more than £250k) for which no budget exists. Additionally it will have an effect across all wards.
- 1.12 Should the trial be successful increasing the opening hours to seven days per week an amendment to the current Waste Collection Policy will be required.
- 1.13 The opening hours for HWRC sites were reduced in 2014 (as part of a procurement process) from seven to six days per week with reduced operating hours of 9:00am to 5:00pm delivering a saving of circa £248k per annum.
- 1.14 A further saving of £98k was delivered in 2015 by reducing the opening at each site by one additional day (from six days a week to five days a week)

- 1.15 At peak times, queues often build up at both sites affecting members of the public and neighbouring businesses. Refuse collections and street cleansing can also be adversely affected when vehicles are unable to access the Waste Transfer Station at Fryers Road to tip the waste collected.
- 1.16 In April 2018, revised opening hours were introduced (within existing budgets) to mitigate traffic pressures and queuing times. Longer summer and shorter winter opening hours were re-introduced along with seven day a week opening at both sites during Christmas and Bank Holiday periods. Key benefits included:
 - a. Extending evening opening times during the summer months by one hour to allow residents time after work
 - b. Extending morning opening times in the summer months by one hour to allow residents time prior to work
 - c. Seven day opening at both sites during peak Bank Holiday and Christmas periods to cater for increased demand (seven weeks of the year Easter, May Day, Whitsun, August Bank Holiday, Christmas and New Year)
 - d. Addresses problems of queuing during periods of higher demand
 - e. Financially viable as service is contained within existing budgets
- 1.17 In November 2017, the Waste Transfer Station at Fryers Road suffered a major fire which caused considerable damage to the building giving it a maximum expected lifespan of 3 5 years (now reduced to 2 4 years). In addition, the design and layout of the Fryers Road facility is out of date and doesn't meet modern requirements. These factors have lead to the provision of waste disposal facilities for the borough being reviewed with the view to developing proposals for new, fit for purpose facilities, designed to cope with usage requirements and health and safety requirements.

2.0 Recommendation

- 2.1 That Cabinet approve a 13 week trial for Fryers Road and Merchants Way HWRC sites to open seven days per week on current summer operating hours (8:00am 6:00pm) with one additional late night opening (8:00am 8:00pm) per week at each site.
- 2.2 That Cabinet approve the allocation of an earmarked reserve of £110k to fund the one-off costs of the 13 week trial.
- 2.3 That Cabinet approve the revised timescale for the Free Bulky Collection trial to be for a period of 6 weeks starting on Monday 5 November 2018.

3.0 Report Detail

3.1 Council responsibilities

3.1.1 Responsibility under Section 48 of the EPA 1990 to arrange and provide places for the disposal of waste collected by Walsall Council within its function as a Waste Disposal Authority.

3.2 Current HWRC Service

- 3.2.1 There are two HWRC facilities within Walsall Fryers Road, Leamore (located in the north west of the borough) and Merchants Way, Aldridge (located in the east of the borough).
- 3.2.2 The Fryers Road site also incorporates the Waste Transfer Station (WTS) where waste and recycling collected by the collection crews is taken prior to being transported in bulk for disposal or reprocessing.
- 3.2.3 The two HWRC sites and the WTS are operated by an external contractor, Suez, on behalf of Walsall Council. The contract commenced on 1 April 2014 for a term of seven years, ending March 2021, with an option to extend the contract for a further year.
- 3.2.4 The HWRC sites are only licensed for the use of Walsall residents disposing of domestic waste. Waste from businesses or commercial activity is not accepted at either site.
- 3.2.5 The skip containers at the sites are segregated to allow maximum recycling. A wider range of materials can be recycled or disposed of at the HWRCs than can be collected at the kerbside. This includes wood, metal, oil, cardboard, textiles, batteries, plasterboard, rubble, white goods, TVs and other electrical goods.
- 3.2.6 The current service allows access to at least one HWRC site every day of the week, meeting our statutory obligations. The current opening hours are detailed in **Appendix A**.
- 3.2.7 Assistance is available at both sites for residents with heavy items or those unable to deposit waste in the skips unaided.
- 3.2.8 Pedestrian access is not allowed at either site due to site infrastructure and health and safety requirements.
- 3.2.9 Waste from businesses or commercial activity is not permitted at either HWRC site. The sites are licensed for household waste only.
- 3.2.10 Vans and trailers must be pre-booked a minimum of one working day in advance to use the HWRC sites and only one tip per week is permitted. There is a gross weight limit of 2.5 tonnes for vans using the site.
- 3.2.11 Restrictions for vans and trailers are due to the potential risk of traders disposing of commercial waste contravening the site license, the size

limitations of the sites and health and safety concerns around larger vehicles being reversed where space is limited.

3.3 Issues and Impacts of current service

3.3.1 The changes in collection services over recent years have had an impact on household behaviours, the disposal of waste and the use of the HWRC sites. For example changes to garden waste collections from fortnightly to threeweekly has shown increases in disposal of green waste at HWRC sites. However overall tonnages disposed at the HWRC sites have reduced as detailed below.

Date	Total HWRC	Recycling	Garden	Residual
	Tonnage	Tonnage	Waste	Waste
	_	_	tonnage	Tonnage
Jan – Jun 2017	10,435	4,332	2,038	4,065
Jan – Jun 2018	9,549	4,531	2,065	2,953

Overall there has been a reduction of 886 tonnes an equivalent of 8.5% taken to the HWRC sites. The reduction in residual waste is 1,112 tonnes or 28%.

3.3.2 Reported fly-tipping incidents over the last four years are detailed below:

Year	Incidents	Tonnages
2014/15	3,362	1,658
2015/16	4,599	2,267
2016/17	5,009	2,458
2017/18	4,122	2,003

The trend of increase and decrease in incidents and tonnages is broadly similar year on year.

- 3.3.3 It is considered fly-tipping may be due to reduced opening times at the HWRC sites, but it is not possible to attribute fly-tipping incidents solely to these changes. Other factors may include:
 - a. Fortnightly residual waste collections which commenced in October 2016
 - b. Three-weekly garden waste collections which commenced in March 2018
 - c. Environmental crime from illegal waste carriers avoiding high disposal costs licensed facilities.
 - d. Activities associated with unauthorised encampments
- 3.3.4 On average 150 HWRC related calls per month have been handled by the Council's Contact Centre. This is primarily enquiries about trailer or van bookings and opening times. The telephone number on which van and trailer bookings can be made is staffed 9.00am to 5.00pm Monday to Friday. The

line gets very busy, particularly towards the end of the week when residents want to make a booking for the weekend. Consideration is underway to addressing this issue.

- 3.3.5 It has been identified that following the fire at the Fryers Road WTS on 5 November 2017, the facility now has a remaining operational life of circa 2 4 years due to the damage caused.
- 3.3.6 At busy times long queues form at both of the HWRC sites due to the volume of demand and the capacity of the sites. On occasion the queues may go beyond the gates to the sites and onto the highway. These queues cause frustration to residents trying to use the sites and neighbouring businesses when access to their property is impeded. At Fryers Road the queues can also adversely affect refuse collections and the street cleansing service.
- 3.3.7 The access road to the site serves both the HWRC and the WTS meaning refuse collection vehicles needing to tip waste and recycling off and bulk transport wagons taking waste and recycling out of the transfer station are intermingled with the cars waiting to use the HWRC site. Line markings have recently been installed on the access road to try to segregate the two traffic flows but the site has no capacity to manage the volume of traffic that often occurs.
- 3.3.8 The design and layout of the whole Fryers Road facility is out of date and doesn't meet modern requirements. Significant investment is now needed to modernise and improve the service.
- 3.3.9 A piece of work is being undertaken to identify sites and develop new HWRC/Waste Transfer Station facilities within the borough. This will take into account modern best practice from other local authorities. As part of this process a postcode survey will be undertaken at both Fryers Road and Merchants Way HWRCs to determine user demographics.

3.4 Impacts of changing service and additional resources

- 3.4.1 To re-introduce seven day opening at the HWRC sites which could contribute to a reduction in fly-tipping would incur a cost in excess of £350k per annum.
- 3.4.2 It would therefore be prudent to carry out a Trial to determine the effectiveness of permanently extending the service.
- 3.4.3 For the purpose of the Trial both sites will open seven days per week between 8:00am and 6:00pm and one late night until 8:00pm.
- 3.4.4 Opening over seven days a week will enable greater flexibility for residents to access the HWRC sites.
- 3.4.5 Following the Trial, we will review the effectiveness of extending the opening hours of the HWRC sites. This will be considered by a future Cabinet when the impact of reducing fly-tipping and benefits of extending the opening hours at the HWRC sites can be determined.

- 3.4.6 Data would be collected during the Trial to determine three factors:
 - a. Demand for the service (usage during extended hours)
 - b. Impact on fly-tipping incidents over the period
 - c. Additional costs and effectiveness of increased opening
 - 3.4.7 Should the Trial be deemed successful, the options and implementation costs for a full year effect are detailed in paragraph six of this report.
 - 3.4.8 Following discussions with the current contractor, and to ensure an adequate communication campaign is carried out with all households to promote the service changes, an implementation period of circa six months is required. Therefore, it is proposed to commence a 13 week trial from 1 April 2019.

3.5 Changes to Free Bulky Collection at kerbside trial

- 3.5.1 A trial for the free collection of Bulky Items from the kerbside was agreed by Cabinet on 5 September 2018. The trial period was for 13 weeks, commencing 1 July 2019.
- 3.5.2 For the reasons set out in section 1.5 it has been determined to bring this trial forward.
- 3.5.3 The trial will now commence on Monday 5 November and run for 6 weeks, with all other arrangements, risks etc. detailed in the 5 September Cabinet Report.
- 3.5.4 Communication of the trial will take place via a press release, the Council web site, promotion via social media and hot messaging on the telephone lines.
- 3.5.5 It is likely that calls to the Contact Centre may increase due to the limited advance publicity, which may impact on call answering response times.
- 3.5.6 Analysis of data for this trial will be more limited than originally planned, due to the shortened timescale and reduced timescale for publicity.
- 3.5.7 Customers who have made and paid for bulky collections post the 5 November will be contacted and refunds made where appropriate.

4.0 Council Corporate Plan priorities

- 4.1 Proposed service changes in relation to the Trials will support the current priorities set out in the 2018-2021 Corporate Plan as follows:
 - Economic growth for all people and communities: service changes are proposed to support the enhancement of Walsall as a place which encourages business growth
 - Internal focus in assessing the most effective service changes which can assist in effective use of limited public money
 - Communities safe and healthy places

5.0 Risk management

5.1 The following risks and control measures have been identified:

Risk:	Control measures:
Extended opening may not directly impact on levels of fly-tipping due to:	Enforcement activity (Community Protection)
a) Cross borough boundary tipping from neighbouring areasb) Commercial fly-tipping (not permitted	Publicity and education (Duty of Care)
at HWRC) c) Law abiding residents would not traditionally fly-tip if tip is closed	Side waste education (Section 46 informal warnings)
Reducing opening hours at the end of the trial if not continued – • May increase customer complaints • May increase fly-tipping	Robust communication explaining what is happening and why

6.0 Financial implications

- 6.1 Following discussions with the current contractor (SUEZ) the additional cost required for a Trial of additional opening at the HWRC sites for 13 weeks, seven days per week is circa £110k.
- 6.2 As this is a trial rather than on-going activity, it is more appropriate to fund this from an Earmarked Reserve, which would be earmarked from General Reserves should the trial be approved.
- 6.3 Should the Trial be deemed successful, the options and indicative implementation costs for a full year effect are identified below.

	Option	Additional Cost (£)
1	Both sites open seven days per week on reduced operating hours.	No cost available
	This option is to amend the daily opening hours to contain costs within the existing budgets, whilst opening the sites seven days per week.	
2	Both sites open seven days per week on current operating hours.	439,393
	This option is to open both sites for seven days per week operating in accordance with current operating hours with summer 8.00am to 18.00pm (26 weeks) and winter 9.00am to 16.00pm (26 weeks).	

3	Both sites open seven days per week on current operating hours with one day late start and late night opening per site	439,393
	This option is to open both sites for seven days per week operating one late start and late night opening on each site per week. Late start of 10.00am to 20.00pm (summer) and 11.00am to 18.00pm (winter).	
4	Both sites open seven days per week on current operating hours with two day late start and late night opening per site	439,393
	This option is to open both sites for seven days per week operating two late start and late night opening on each site per week. Late start of 10.00am to 20.00pm (summer) and 11.00am to 18.00pm (winter).	
5	Both sites open seven days per week on current operating hours with two additional late night opening per site	+452k
	This option is to open both sites for 7 days per week operating in accordance with current operating hours with summer 8.00am to 18.00pm (26 weeks) and winter 9.00am to 16.00pm (26 weeks) with two additional late night opening. Tuesday & Wednesday late night at Merchants Way and Thursday & Friday late night at Fryers Road. Late night opening until 20.00pm in summer and 18.00pm in winter.	

- 6.4 A further report will be considered by Cabinet at a future date detailing the outcomes of all of the trials aimed at reducing of fly-tipping within the borough. This will include costs and options in implementing changes to HWRC opening hours.
- 6.5 There are no existing budgets in the current form of the Council's Mid Term Financial Plan to fund reinvestment in opening the HWRC sites seven days per week. In order to deliver a balanced budget, alternative savings may need to be identified, or ceasing of other services or activity within the Council.
- 6.6 Any amendment to budget savings requires Cabinet approval as it involves a change in policy. An early decision is required to allow for appropriate public communication and implementation from April 2019.
- 6.7 The revision to the timescale for the free Bulky Collection from kerbside trial may create a £12k budget pressure in the current financial year, which can be met from current projected service underspends.

7.0 Legal implications

7.1 As a Unitary Authority, Walsall Council has responsibility for both waste collection and waste disposal. As a Waste Collection Authority (WCA) and Waste Disposal Authority (WDA), Walsall Council has a number of statutory obligations. These include:

- A duty under Section 45 of the Environmental Protection Act 1990 (EPA 1990) to collect household waste and, if requested, commercial waste within Walsall.
- Responsibility under Section 48 of the EPA 1990 to arrange and provide places for the disposal of waste collected by Walsall Council within its function as a WDA.
- 7.2 Legal Services will be required to advise on any potential variation to the existing Contract if this Trial is approved by Cabinet as specified in paragraph 2.1 of this report to ensure it is contractually compliant and also compliant with relevant legislation.

8.0 Procurement implications/Social Value

- 8.1 Provisional advice from the Procurement Team has been sought and states they can't see an issue in principle.
- 8.2 Further advice and support will be sought from Procurement and Legal Services, once the detail of proposed changes is known, to ensure the compliant variation of existing contractual arrangements.

9.0 Property implications

- 9.1 The waste transfer station at Fryers Road suffered a major fire on Sunday 5 November 2018 that caused severe damage to the building. Following the fire a full structural survey was conducted which concluded the lifespan of the existing building had been reduced to 3 5 years. The building will require replacement within this timeframe due to damage to the steel frame, purlins, roof, and external cladding. The decision was taken to only carry out essential repairs to ensure the transfer station building could be operated legally and safely.
- 9.2 Waste management facilities operate under an Environmental Permit issued by the Environment Agency and must comply with this permit at all times. The emergency repairs following the fire were agreed with the Environment Agency who allowed the Transfer Station to re-open based on the understanding the building needed to be replaced in 3 5 years.
- 9.3 A number of problems around the Waste Transfer Station (WTS) and Household Waste Recycling Centres (HWRCs) have lead to the conclusion that the current facilities are no longer fit for purpose and do not meet modern needs and requirements. The current WTS and HWRC provision for the borough is under review.

10.0 Health and wellbeing implications

- 10.1 The trials are designed to reduce fly-tipping and therefore promote a healthier environment satisfying the Marmot objectives by helping children have the best start, ensuring they are safe from harm, happy and healthy and helping communities to prosper and become resilient, with a strong sense of belonging and cohesion.
- 10.2 A cleaner borough will lead to increased investment creating fair employment and good work for all in the borough.

11.0 Staffing implications

11.1 There are no direct staffing implications but there may be contractor employee changes under the terms of the existing contract. Negotiations have commenced with the existing contractor to identify potential costs and the contractor is receptive to the proposals.

12.0 Reducing inequalities

- 12.1 A number of equality issues will need to be considered to ensure the Trial are fair to all of Walsall's communities. Specific areas to be considered are:
 - Race/ Racial Heritage / European Communities Language Barriers
 Through the Controlling Migration Fund areas with increased numbers of European Communities are to be targeted to support waste disposal as part of the Walsall People Project. Clean & Green have increased funding to target direct clean ups and communications in mother tongue languages to reduce fly-tipping.

Religion

Places of worship where English is a second language may be an issue for members of the congregation. In this respect, such places of worship will be contacted to discuss the best way to communicate to those members who cannot speak English or understand written communications. Historically these are community elders however smaller numbers of newly arrived communities will also be included in the faith congregations. Through community contacts those languages will be identified and appropriate communications will be delivered through a network of informal translators at additional costs to the Council.

Disability & Mobility

As part of the Equality Act 2010 and the provision of reasonable adjustments to residents with a disability, residents with mobility issues will receive targeted communications and offered alternative methods of waste disposal if the disability stops or hinders a person disposing of their waste in a safe and environmentally friendly way. Those residents who are part of the Blue Badge Scheme will be contacted to ascertain their needs regarding waste disposal in respect of the trials.

Visual Impairment

Walsall Blind Centre will be contacted to ensure that those residents who are registered blind receive communications which meet their needs to ensure that they know of the trials and whether they need support to dispose of waste in line with the trials.

Mental Health

Those with moderate to severe learning disabilities will be contacted through carers identified through Social Care to ensure that the appropriate understanding of the proposed trials are effectively communicated through easy read communications.

Age

Elderly and vulnerable will be assessed to understand any issues faced regarding waste disposal. This generally will be linked to mobility related disabilities. The trials will be promoted locally through Age UK.

13.0 Consultation

- 13.1 It is not considered public consultation is necessary for a Trial to increase the opening hours at the HWRC sites. However if the change was to become permanent, and savings from other services were required, public consultation would be necessary.
- 13.2 The Trial will be widely communicated to residents through a variety of methods, including a leaflet with their council tax documents.

Background Papers

Addressing fly-tipping in Walsall Cabinet Report 5 September 2018

Dave Roberts Service Manager

2 654201

□ dave.roberts@walsall.gov.uk

Mark Holden Head of Clean and Green

2 654201

□ mark.holden@walsall.gov.uk

Simon Neilson Executive Director Councillor Louise Harrison Portfolio Holder Clean and Green

12 October 2018

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Current Arrangements

Summer hours (21 weeks, April to September)

	Fryers Road		Merchants Way	
<u>Day</u>	<u>Open</u>	Closed	<u>Open</u>	Closed
<u>Monday</u>	8.00am	18.00pm	8.00am	18.00pm
Tuesday	8.00am	<u>18.00pm</u>	CLOSED	
<u>Wednesday</u>	8.00am	18.00pm	CLOSED	
Thursday	CLC	SED	8.00am 18.00pm	
Friday	CLOSED		8.00am	18.00pm
Saturday	8.00am	18.00pm	8.00am	<u>18.00pm</u>
Sunday	8.00am	<u>18.00pm</u>	8.00am	<u>18.00pm</u>

Winter Hours (24 weeks, October to March)

	Fryers Road		Merchants Way	
<u>Day</u>	<u>Open</u>	Closed	<u>Open</u>	Closed
<u>Monday</u>	<u>9.00am</u>	<u>16.00pm</u>	<u>9.00am</u>	16.00pm
<u>Tuesday</u>	<u>9.00am</u>	<u>16.00pm</u>	CLOSED	
<u>Wednesday</u>	<u>9.00am</u>	<u>16.00pm</u>	CLOSED	
Thursday	CLC	SED	9.00am 16.00pm	
<u>Friday</u>	CLOSED		<u>9.00am</u>	<u>16.00pm</u>
<u>Saturday</u>	<u>9.00am</u>	<u>16.00pm</u>	<u>9.00am</u>	<u>16.00pm</u>
<u>Sunday</u>	<u>9.00am</u>	<u>16.00pm</u>	<u>9.00am</u>	<u>16.00pm</u>

Bank holiday extended opening – 7day weeks Easter bank x 2 weeks / Whitsun / May bank / August bank (total 5 weeks)

	Fryers Road		Merchants Way	
<u>Day</u>	<u>Open</u>	Closed	<u>Open</u>	Closed
Monday	8.00am	18.00pm	8.00am	18.00pm
Tuesday	8.00am	18.00pm	8.00am	18.00pm
Wednesday	8.00am	18.00pm	8.00am	18.00pm
Thursday	8.00am	18.00pm	8.00am	18.00pm
Friday	8.00am	18.00pm	<u>8.00am</u>	<u>18.00pm</u>
<u>Saturday</u>	8.00am	18.00pm	8.00am	18.00pm
Sunday	8.00am	18.00pm	<u>8.00am</u>	<u>18.00pm</u>

Christmas / New Year x 2 weeks

	Fryers Road		Merchants Way	
<u>Day</u>	<u>Open</u>	Closed	<u>Open</u>	Closed
Monday	9.00am	16.00pm	9.00am	16.00pm
Tuesday	9.00am	16.00pm	9.00am	16.00pm
Wednesday	9.00am	16.00pm	9.00am	16.00pm
Thursday	9.00am	16.00pm	9.00am	16.00pm
Friday	9.00am	16.00pm	9.00am	16.00pm
Saturday	9.00am	16.00pm	9.00am	16.00pm
Sunday	9.00am	16.00pm	9.00am	16.00pm

(Closed Christmas Day, Boxing Day, New Year's Day)