

Name of meeting: Cabinet

Date: 8 March 2016

Title of report: Waste & Street Cleansing Policy Review

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Is it in the Council's Forward Plan ?	Yes
Is it eligible for "call in" by Scrutiny ?	Yes
Date signed off by <u>Director</u> & name	Jacqui Gedman - 29.02.16
Is it signed off by the Director of Resources?	David Smith - 29.02.16
Is it signed off by the Assistant Director – Legal, Governance & Monitoring?	Julie Muscroft - 29.02.16
Cabinet member portfolio	Cllr S Hall - Place Planning, Highways & Open Spaces Cllr C Scott - Place Housing and the Relief of Poverty

Electoral [wards](#) affected: ALL

Ward councillors consulted:

Public or private: Public

1. Purpose of report

The purpose of the report is to request Cabinet to note and approve the implementation of operational and policy changes related to waste management contained within this report.

2. Key points

Background

2.1.1 Kirklees has in the past been at the forefront of environmental services, delivering high recycling rates, high landfill diversion and exceptional value for money. In 2002/3 we were placed 4th for our recycling performance among metropolitan authorities and our rates steadily increased to peak at close to 35% in 2010/11. However since then we have continued to fall down the rankings and currently our recycling rate has dropped to 27.6% for 2014/15.

2.1.2 Kirklees was one of the first authorities to sign and implement a waste PFI, meaning we delivered savings against budgets from the very beginning, whilst other authorities have,

by comparison, only recently introduced treatment and therefore they were starting from a much higher budget baseline. This has allowed them to invest in services and still return an overall saving against budget, but they do have higher overall costs when compared to Kirklees. This places us in a position whereby to significantly improve our recycling performance we either have to introduce more control on waste arisings and related policies or invest and increase budget spend to allow us to collect more materials on the current kerbside service.

2.1.3 In addition to this the UK has been through a period of recession and gradual recovery. During the recession period there has been a reduction in overall waste volumes that has seen a saving against budget. A further £250k was removed from the budget for 14/15 in anticipation of this continuing trend. However, we are now in a position where waste volumes have returned to growth (c. 2.0% in 14/15). This level of growth in addition to the £250k reduction has created the existing budget overspend, which is c. £650k for this year. In addition unforeseen down time for the plant and increased landfill has further exacerbated the situation and the overspend will near c. £850k for this year. This trend is set to continue until waste volumes can be reduced. As an approximate rule of thumb for each 2% of waste growth we see costs increase by £120k each year.

2.1.4 In addition the Medium Term Financial Plan (MTFP) has set a budget reduction of £1.4m for the waste and street cleansing services. Whilst the changes made to the waste collection arrangement contribute significantly to this the proposals in this report are targeted at attaining the remainder.

2.1.5 A separate full research paper has been developed in the preparation of this report covering key policy areas:

- Detailed operational reports on each of the policy proposals
- Analysis of current resources
- Proposed operating model and frequency analysis
- Data sets reviewed as part of the Equality Impact Assessment process
- Breakdown analysis of bulky waste collections
- Research and data on regional charging schemes and flytip data
- Analysis of local authorities garden subscription services
- Review of current policy and proposed changes

Summary of Proposals

Included in the report below are summaries of the changes proposed and specific operational and policy changes.

W7b Move to Reactive and Mobile Street Cleansing Operational Structure

The proposals protect the two main town centres and a number of regional town centres, but will require other areas to move to a fortnightly sweeping frequency from the current weekly. The main changes will see some manual sweepers covering two manual routes doing one per week, and new Mobile Sweepers introduced in some areas to cover 4 manual routes, 2 each week, and an overall more reactive service. An example of how the frequencies will change and how this relates to current operations has been included below for the South teams.

An additional 4 Group Sweeper Drivers will be provided to increase the reactive elements of the service.

It is proposed that in order to initially mitigate the impact of the budget reduction that any current weekend operations in the following areas are ring fenced i.e. no change to output:

- Huddersfield Town Centre
- Holmfirth Town Centre
- Dewsbury Town Centre
- Batley Town Centre
- Birstall Town Centre
- Heckmondwike Town Centre
- Cleckheaton Town Centre
- Mirfield Town Centre
- Ravensthorpe

The move to a fortnightly sweep will also continue to comply with the Code of Practice on Litter and Refuse, which has a response time requirement of 14 days for low intensity usage areas. Any areas that fall below a reasonable standard can be brought back in line using the Group Sweeper Drivers, Small Mechanical Sweepers and Mobile Sweepers in a reactive capacity.

W10 & W11 Review of Presentation Points & Containerisation

The proposal is to move as many black sack properties onto wheeled bins for disposal of their waste and recycling, halting the provision of black sacks when this is achieved. This is estimated to be c. 1,900 hh. For the remaining households that we deem not suitable for wheeled bins they will be limited to 4 x 70 litre sacks per fortnight for residual waste, which once tied is an equivalent volume to the standard 240l wheeled bin other residents are required to use.

W15 Charge for Delivering Replacement Bins

The proposal is to expand and amend the existing policy to charge all households for the cost and delivery of each grey wheeled bin, on a cost basis of £25 per bin. Those bins damaged by the Council or that are assessed as repairable will be done free of charge. The future provision of charged options such as lockable lids and numbers will be explored further.

In order to encourage residents to recycle and to obtain as many green bins as they feel they need to recycle it is proposed to continue the provision of these wheeled bins free of charge, subject to reasonable use.

The powers to charge for receptacles are provided for under:

- Section 46(3) of the Environmental Protection Act 1990

W16 Chargeable Bulky Waste (£5 per item, £20 for 1 electrical goods)

The proposal is to expand the existing charge for the service that reduces the subsidy to a more sustainable level and keeps broadly in line with current charges, at a level of £5 per bulky item and £20 per electrical goods item, to reflect the potential weight and size of electrical goods.

This charge will be supported by the development of a Furniture Reuse Network that will see reuse organisation partners developed for each District who will provide a free collection route for those items that can be repaired or reused. Other websites such as Freegle will also be promoted where residents can list items for free collection, there are existing schemes in Dewsbury and Huddersfield for this. The expansion of producer responsibility and take back schemes also means when residents purchase new electrical goods there are alternative routes for removal at the time of delivery. Ultimately residents can still continue to use the HWRC sites free of charge.

Kirklees Passport holders will receive a 50% discount, subject to reasonable use, and Assisted Collections will receive 2 free collections, of up to £20 each per year, to mitigate the impact of the changes on Protected and vulnerable groups.

The powers to charge for bulky waste and DIY item collection are provided for under:

- The Controlled Waste (England and Wales) Regulations 2012

W19 Introduce New Chargeable Garden Waste Club

As part of both a service enhancement and mitigation against the pressure of increase waste arisings it has been proposed to explore the introduction of a Garden Club. This would involve an annual subscription service that can see residents, or shared by a group of residents, acquiring the use of a Brown 240l Wheeled Bins, the same size as our other grey and green wheeled bins, filling them with Garden Waste and having them collected once a fortnight. It is proposed to undertake more detailed research and modelling of this service and report the findings back to Cabinet.

The powers to charge for garden waste collection are provided for under:

- The Controlled Waste (England and Wales) Regulations 2012

W21 Review of Non Statutory Waste Disposal at HWRCs

It is proposed to halt collection of non-statutory waste disposal at our HWRC sites; this includes Soil, Rubble and Plasterboard.

Any households that produce these wastes can be directed to a local private waste company to accommodate their needs and support the local economy or can book a bulky waste collection from their household, at a small charge.

Summary of Waste Policy Changes Required

Policy Change	Issue	Amended Policy	Amended Action on Non-Compliance
Bin provision			
W10 & W11 Review of Presentation Points & Containerisation	Operational liner properties	Single grey and single green dustbin Regular provision of black plastic sacks for general waste to meet 4 limit per fortnight. Regular provision of transparent green plastic sacks for recyclables.	N/A
Additional wheeled bins			
W15 Charge for Delivering Replacement Bins – Extension of Existing Policy	Green Bins	Households can have as many as required; subject to reasonable use.	N/A
Excess / side waste – general waste & garden waste			
W10 & W11 Review of Presentation Points & Containerisation	Operational liner properties	Limit of Four sacks per fortnight and all to be household waste and contained in suitable liners	Non-complying waste not collected
Presentation			

Policy Change	Issue	Amended Policy	Amended Action on Non-Compliance
W10 & W11 Review of Presentation Points & Containerisation	Operational liner properties	At an accessible point within 2m of the property boundary next to where the collection vehicle travels or at a designated collection point. Assisted services to qualifying residents to continue.	Not collected if presented in incorrect position.
Chargeable Services			
W15 Charge for Delivering Replacement Bins – Extension of Existing Policy	Wheeled Bins	Charge of £25 per grey/brown wheeled bin container for delivery and administration to domestic properties. Reviewed annually. Green recycling bins are provided free of charge to domestic properties, subject to reasonable use. Containers will remain the property of the Council. If the replacement is as a direct result of the Council's actions this fee will be waived. If in the view of the Council it is practical for a bin to be repaired then it will be done with no charge.	N/A
W16 Chargeable Bulky Waste (£5 per Item, £20 for 1 electrical goods)	Bulky Waste	Charge of £5 per item items or £20 for a single electrical goods item, subject to a £25 limit and/or inclusion of specific material streams, which results in a visual assessment and quotation provided, dependent upon time required to clear at the relevant published hourly rate. Reviewed annually.	Unlisted items left and quotation for removal provided to household.

Summary of Implementation Dates and Financial Savings

Ref.	Operational Change Item	Date of Change No Sooner Than	Financial Saving (c.£ Full Year Effect)	Decision Type
W7b	Move to Reactive and Mobile Street Cleansing Operational Structure	May 2016	-475,000	Operational (Engagement)
W10 & W11	Review of Presentation Points & Containerisation	October 2016	-26,400	Policy Change (Consultation)
W15	Charge for Delivering Replacement Bins – Extension of Existing Policy	May 2016	-107,530	Policy Change (Consultation)
W16	Chargeable Bulky Waste (£5 per Item, £20 for 1 electrical goods)	May 2016	-309,910	Policy Change (Consultation)
W19	Introduce New Chargeable Garden Waste Club	February 2017	0	Policy Change (Consultation)

Ref.	Operational Change Item	Date of Change No Sooner Than	Financial Saving (c.£ Full Year Effect)	Decision Type
W21	Review of Non Statutory Waste Disposal at HWRCs	April 2016	-222,952	Operational (Engagement)

3. Implications for the Council

These proposals allow the Council to meet the MTFP service budget targets as well as create a policy framework that allows some measure of control on waste arisings to mitigate this budget pressure now and in the future. The total of these savings/reduced budget pressures will be in excess of £1m per annum.

However, these proposals are both significant and wide reaching. All residents will be impacted by them to varying degrees and there will be an impact on the aesthetic environment of Kirklees, although some mitigating actions will be put in place as part of the changes.

It should be noted any elements of the proposals that are not taken forward will have to be added to the reduction in street cleansing, as this is the service that can be flexed the most to meet the budget. This will though come at a cost of a reduced quality of environment across Kirklees.

4. Consultees and their opinions

These are significant operational changes and as such it was important to understand that any roll out needs to be undertaken in a considered manner and that there are important engagement points with key stakeholders. The bulleted list below highlights the engagement programme to date:

- Workforce and management focus groups to refine ideas and highlight issues – throughout 2014/15
- Market research to understand trends and what local and national authorities are doing – throughout 2014/15
- Equality Impact Assessment – updated through 2014/15
- Pre Scrutiny – January 2016
- Consultation on refined options across all political parties, including detailed documentation, presentation, Officer Q&A and feedback period – January 2016
- Further refinement of options following consultation – February 2016
- Updating/Review of Equality Impact Assessments for options – February 2016
- Updating of Background Research Paper – February 2016

Equality Impact Assessment summaries and mitigating actions are included in Appendix 1.

Feedback attained from political groups is included in Appendix 2, including mitigating actions to take it into account.

5. Next steps

The proposals be implemented as described and as per the indicated timescales.

6. Officer recommendations and reasons

The following officer recommendations are made in line with the details and timescale contained within this report:

W7b Move to Reactive and Mobile Street Cleansing Operational Structure

Officers recommend that Cabinet support the operational changes proposed including:

- Changing cleansing frequency in some areas from weekly to fortnightly.
- Creation of 4 reactive cleansing teams, one per District.
- Ring fencing of Mechanical Sweeping teams to provide flexibility within the service to react.
- Ring fencing of current weekend cleansing operations to minimise economic and tourism impact as listed.

W10 & W11 Review of Presentation Points & Containerisation

Officers recommend that Cabinet accept the changes that include providing wheeled bins to all suitable households, limit and alter the presentation point of black sack properties. That Cabinet also note and accept this initial provision of wheeled bins will not be charged to ensure equity for residents.

W15 Charge for Delivering Replacement Bins – Extension of Existing Policy

Officers recommend that Cabinet accept the changes proposed to existing Waste Policy including a charge of £25 for the delivery of a grey wheeled bin.

W16 Chargeable Bulky Waste (£5 per Item, £20 for 1 electrical goods)

Officers recommend that Cabinet accept the changes proposed to existing Waste Policy including the introduction of charges for all bulky waste collections.

W19 Introduce New Chargeable Garden Waste Club

Officers recommend that further research and detailed modelling is to be undertaken on introducing a chargeable garden waste club and report the findings back to Cabinet.

W21 Review of Non Statutory Waste Disposal at HWRCs

Officers recommend that Cabinet support the proposed operational change to halt the acceptance of Plasterboard, Soil and Rubble at HWRCs.

7. Cabinet portfolio holder recommendation

The Portfolio holders, Cllr Steve Hall and Cllr Cathy Scott, support the Officer recommendations. The Portfolio Holders recognise that whilst some of these changes will have significant impacts on residents there is unfortunately a perfect storm of increased use, and sometimes abuse, of the services, rising costs and falling budgets. It is understandable many people will have strong views on these changes but these proposals only bring us in line with most other authorities across Yorkshire and Humber and nationally. It is welcoming to see all political groups have provided feedback on these and that we have been able to take this on board and adapt the proposals. It is also good to see vulnerable groups, those on low income and those who are less mobile are protected from the impact of change as much as we can.

8. Contact officer and relevant papers

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9. Assistant director responsible

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Background Papers:

- Cabinet Report – Waste Policy Review – Draft with Options shared with O&SMC and All Parties December 15/January 2016
- Cross Party Briefing Presentation – shared with All Parties January 2016
- Background Research Paper – February 2016

Equality Impact Assessments Summary

The table below provides a summary of the Equality Impact Assessments carried out in relation to the proposals and includes any mitigating actions or policies that reduce the impact on protected groups:

The Council under section 149 of the Equality Act 2010 must have “due regard to the need to -

- a) eliminate discrimination; harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it - section 149(7) sets out 7 protected characteristics namely, age, disability, gender reassignment, pregnancy and maternity, race, religion, or belief, sex and sexual orientation.

Ref.	Operational Change Item	Level of Impact	Risk	Summary	Mitigations within Proposal
W7b	Move to Reactive and Mobile Street Cleansing Operational Structure	63%	19%	A High impact change but has a low Likelihood of adversely affecting people or groups with protected characteristics	Vacancy management has allowed the service to mitigate the impact on the workforce, with currently 25 vacancies leaving only 3 additional FTEs required to meet the reductions from the changes.
W10 & W11	Review of Presentation Points & Containerisation	12%	10%	A low impact change with a low Likelihood of adversely affecting people or groups with protected characteristics	A detailed audit of all properties on sacks will be completed in 2016 to achieve a definitive list of households that will be switched from sacks to bins. Protected Groups that may be affected can apply to be placed on an Assisted Collection or for additional waste capacity for larger families as per council policy.
W15	Charge for Delivering Replacement Bins – Extension of Existing Policy	12%	8%	A low impact change with a low Likelihood of adversely affecting people or groups with protected characteristics	It is unlikely that the replacement of containers directly correlates to the location of Protected Groups. A 50% discount linked to Kirklees Passport Holders.
W16	Chargeable Bulky Waste (£5 per Item, £20 for 1 electrical goods)	53%	8%	A High impact change but has a low Likelihood of adversely affecting people or groups with protected characteristics	Kirklees Passport holders will receive a 50% discount and residents on the Assisted Collection list will receive two free £20 collections per annum. This charge will also be supported by the

Ref.	Operational Change Item	Level of Impact	Risk	Summary	Mitigations within Proposal
					development of a Furniture Reuse Network.
W19	Introduce New Chargeable Garden Waste Club	39%	4%	A High impact change but has a low Likelihood of adversely affecting people or groups with protected characteristics	This proposal supports the Council's PSED by offering a new service to disabled residents who may find it difficult to transport garden waste to their local Recycling Centre, thus simplifying the disposal/recycling process for these residents for this waste stream.
W21	Review of Non Statutory Waste Disposal at HWRCs	16%	19%	A low impact change with a low Likelihood of adversely affecting people or groups with protected characteristics	This change will only affect a small minority of residents who complete large DIY projects themselves within their own household. Any waste generated by a trading company completing renovation works in a domestic property is the responsibility of the trader. It is illegal to dispose of trade waste at an HWRC.

Summary of Feedback following consultation and engagement with political groups

Ref.	Operational Change Item	Kirklees Labour Group Feedback
W7b	Move to Reactive and Mobile Street Cleansing Operational Structure	Concerns were raised regarding the impact of other changes on Fly Tipping and the ability of the service to cope.
W10 & W11	Review of Presentation Points & Containerisation	No concerns highlighted.
W15	Charge for Delivering Replacement Bins – Extension of Existing Policy	Concerns around stolen bins and the impact on low income families.
W16	Chargeable Bulky Waste (£5 per Item, £20 for 1 electrical goods)	Concerns around the impact on low income families, the complexity of a policy and the potential to increase fly tipping.
W19	Introduce New Chargeable Garden Waste Club	Concerns around the service being available and affordable to all including low income families.
W21	Review of Non Statutory Waste Disposal at HWRCs	Concerns around the impact on fly tipping.

Ref.	Operational Change Item	Kirklees Conservative Group Feedback
W7b	Move to Reactive and Mobile Street Cleansing Operational Structure	Concerns were raised regarding increases in Fly Tipping, the type of waste this would be and if this would reduce the overall saving as a result. Concerns were raised around reduction in enforcement capacity alongside this change.
W10 & W11	Review of Presentation Points & Containerisation	Solutions had to be practical and deliverable, not forced on residents.
W15	Charge for Delivering Replacement Bins – Extension of Existing Policy	Concerns around stolen bins and the ability of residents to stop this when they are at work.
W16	Chargeable Bulky Waste (£5 per Item, £20 for 1 electrical goods)	Concerns around the impact of this on fly tipping and ensuring the policy is clear and consistent.
W19	Introduce New Chargeable Garden Waste Club	No concerns highlighted.
W21	Review of Non Statutory Waste Disposal at HWRCs	Concerns around the impact on fly tipping.

Ref.	Operational Change Item	Kirklees Liberal Democrat Group Feedback
W7b	Move to Reactive and Mobile Street Cleansing Operational Structure	The main concern identified was the impact of this and other changes on Fly Tipping, the council capacity to enforce and the areas that could be affected. There were specific concerns around the likelihood of these incidents to be in the valley areas and as such the rural District may require more attention.
W10 & W11	Review of Presentation Points & Containerisation	Need to recognise the difference between a drive and what is actually a highway. Have to ensure placement of bins doesn't cause issues for traffic /

		public or attract fly tipping.
W15	Charge for Delivering Replacement Bins – Extension of Existing Policy	Concerns around resident adversely affected by stolen bins.
W16	Chargeable Bulky Waste (£5 per Item, £20 for 1 electrical goods)	Concerns around the level of fly tipping this could attract and the areas it will affect.
W19	Introduce New Chargeable Garden Waste Club	No concerns highlighted.
W21	Review of Non Statutory Waste Disposal at HWRCs	Concerns around the impact on fly tipping.

Ref.	Operational Change Item	Kirklees Green & Valley Independent Group
W7b	Move to Reactive and Mobile Street Cleansing Operational Structure	Concerns were raised regarding the impact of the reduced frequencies on rural Town Centres such as Meltham and Honley that could lead to overflowing litter bins and visual impact.
W10 & W11	Review of Presentation Points & Containerisation	No concerns highlighted.
W15	Charge for Delivering Replacement Bins – Extension of Existing Policy	Concerns around stolen bins.
W16	Chargeable Bulky Waste (£5 per Item, £20 for 1 electrical goods)	Concerns around fly tipping.
W19	Introduce New Chargeable Garden Waste Club	Some concerns highlighted regarding the move away from home composting.
W21	Review of Non Statutory Waste Disposal at HWRCs	No concerns highlighted.

Mitigating actions in response to consultation with Political Groups.

Ref.	Operational Change Item	Key issues identified	Mitigating Actions within Proposals
W7b	Move to Reactive and Mobile Street Cleansing Operational Structure	<p>Areas fall outside of Code of Practice on Litter and Refuse.</p> <p>Resources may be stretched by impact of Fly Tipping alongside a reduced enforcement capacity.</p>	<p>Creation of 4 reactive teams, one per District, to carry out works such as fly tipping, overflowing litter bins and to bring areas back to standard should they fall outside during the interim period between cleansing.</p> <p>Ring fencing of Mechanical Sweeping teams to provide flexibility within service to react.</p> <p>Ring fencing of current weekend cleansing operations to minimise economic and tourism impact.</p>
W10 & W11	Review of Presentation Points & Containerisation	Ensuring any solutions are practical and deliverable.	Full review of all relevant households to be undertaken prior to any container / presentation point changes
W15	Charge for Delivering Replacement Bins – Extension of Existing Policy	The impact on low income families and some resident's having multiple bins stolen.	<ul style="list-style-type: none"> • Kirklees Passport holder will have a 50% discount applied. • Any bins that can be repaired will be done so free of charge. • Any bins damaged as a direct result of Council actions will be replaced free of charge. • Future provision of charged options such as lockable lids and numbers will be explored further.
W16	Chargeable Bulky Waste (£5 per Item, £20 for 1 electrical goods)	The impact on low income families and increased fly tipping.	<ul style="list-style-type: none"> • Kirklees Passport holders will receive a 50% discount and residents on the Assisted Collection list will receive two free £20 collections per annum. • This charge will also be supported by the development of a Furniture Reuse Network. • Creation of 4 reactive teams, one per District, to carry out works such as fly tipping in the street cleansing service.
W19	Introduce New Chargeable Garden Waste Club	Affordability and access to the service is equal to all residents.	None required at this stage
W21	Review of Non Statutory Waste Disposal at HWRCs	Potential to increase fly tipping from commercial sources.	<p>Local traders & waste management companies can be utilised by residents to remove this waste at the point of origin.</p> <p>Residents can use the chargeable bulky waste service to dispose of this material from their doorstep</p>