
**TITLE: PROGRESS REPORT: IN-SOURCING OF THE WASTE AND STREET
CLEANSING SERVICES**

To: Regulatory Services Committee

Date: 6th November 2017

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[S167]

1.0 ISSUE

- 1.1 To provide the Regulatory Services Committee with a further progress report on the insourcing of the waste and recycling services to East Cambridgeshire Trading Company (ECTC) and to highlight the outstanding planned work to be completed to ensure a smooth transfer of the services.
- 1.2 To note the changes or developments to various waste policies of the Council to underpin the insourcing of the services.

2.0 RECOMMENDATION(S)

- 2.1 Members are requested to consider the following recommendations:
- i. Approve the submission of a further progress report in January 2018 to include the project Gantt chart and the final version of the Memorandum of Agreement and its schedules.
 - ii. Endorse the proposal to provide a second blue bin for dry recyclables on request from residents based on a one-off charge of £25.00 to cover the costs of providing the bin and the associated administration as detailed in Section 5 of this report.
 - iii. Note the revised policy, responsibilities and processes for dealing with incidents of flytipping on public land as detailed in Section 6 of this report.
 - iv. Endorse the proposed approach to providing waste collection services to private and unadopted roads as detailed in Section 7 of this report.

3.0 BACKGROUND

- 3.1 The report sets the progress made regarding the insourcing of the waste and street cleansing services from Veolia (the current contractor) to the Trading Company (ECTC) of the Council.
- 3.2 **Governance Arrangements:** The governance arrangements reported to the Committee include: creation of a Project Board to oversee progress, development and implementation of a robust project plan, Gantt chart and risk register to drive the delivery of the project against set deadlines and stakeholder plan. All are proving effective in ensuring the delivery of the project against the stated objectives of the Council. Appendix 1 of this report contains the latest version of the project Gantt chart and confirms no significant slippage in any aspects of the project.

4.0 ARGUMENTS/CONCLUSIONS

- 4.1 **Future Service Delivery Arrangements:** The Memorandum of Agreement (MOA) and supporting schedules have now been reviewed by external legal advisers and further amendments have been made to enable a flexible working agreement between the Council and ECTC. This puts in place a more flexible relationship than the current client and contractor relationship. These documents will continue to be refined to reflect the progression of the project and be formally signed in January 2018 for final consideration by this Committee and the Board of ECTC.
- 4.2 **Low Performing Recycling Areas:** The Waste Team of the Council are progressing the targeted awareness and promotions work in these localities as previously reported to the Committee. A further report will be submitted to confirm the impact of this work in relation to increases in the levels of recycling in the low performing areas.
- 4.3 **Reconfiguration of the Street Cleansing Service:** The current street cleansing service is not properly structured on measured quantities of work requirements to deliver the standards necessitated by the Environmental Protection Act 1990. The Service Specification for Street Cleansing will introduce cleansing zones with frequencies of cleansing activities. To underpin this the Waste Team have now collated linear metres for cleansing within these cleansing zones and are now preparing maps and work regimes to deliver the new service standards. This will give greater transparency of the service being delivered to both Members and residents going forward.
- 4.4 **Human Resources Issues and the TUPE Transfer of Veolia Staff:** The comprehensive implementation plan for the TUPE transfer of the Veolia staff to ECTC that addresses all legal requirements that was developed by the Council's HR Manager is now being implemented. This plan is based on ECTC adopting the Veolia policies, procedures and terms and condition because these have a sharper commercial edge. This is in accordance with specialist legal advice received advising that ECTC can implement this because an employer can have varying terms and conditions of service within its workforce if they arise from a TUPE transfer(s).
- 4.5 **Review of all Veolia Operational Procedures and Processes:** The Waste Team of the Council are implementing the work plan to review all current Veolia operational procedures and processes. This is to be done in collaboration with the Customer Services Manager of the Council to drive the necessary reorientation on the customer. The outputs from this work will create the 'operations bible' of adopted or amended Veolia procedures and processes so that on 1 April 2018, ECTC have documented policies and procedures to hit the ground running and remove the risk of operational service delivery failures. This work will be delivered within the prescribed timescales.
- 4.6 **Review of Veolia Health and Safety Policies and Procedures:** The Waste Team of the Council supported by the Council's Health and Safety Manager are also in the process of implementing the work plan to review all the current health and safety policies and procedures of Veolia to confirm if they are fit for purpose for adoption by ECTC. This work will be delivered within the prescribed timescales.
- 4.7 **Future Vehicle and Plant Requirements:** All vehicles required to deliver the waste and street cleansing services from 1 April 2018 have been confirmed with orders placed with the vehicle manufacturers except for one 7.5 tonne caged vehicle required for the street cleansing service. This is still to be sourced but there is sufficient time to do this within the project plan.

- 4.8 **Vehicle Maintenance and Fuelling:** Negotiations are concluding for vehicle maintenance and fuelling of vehicles from 1 April 2018. These involve Cambridge City Council inspecting and maintaining ECTC's vehicles and plant on a commercial basis and at market rates and the use of the fuel supplier of Cambridge City Council and South Cambridgeshire District Council to access economies of scale through this current supply agreement.
- 4.9 **Performance Management Framework:** A structured performance management framework has been developed with the support of Customer Services so that Members and the Board of ECTC can receive quarterly reports on the performance of the services against the set standards in the new service specifications and the stretch targets.

5.0 EXTENDING THE DRY RECYCLABLES COLLECTION SERVICE

- 5.1 A proposal was made to the Board to allow residents to put bundled cardboard beside their blue wheel bin on collection days for collection. This was to provide additional capacity in the blue wheel bin for other dry recyclables and to achieve an increase in the level of recyclables being collected.
- 5.2 Further investigation of this option has been undertaken including researching the actions taken by other local authorities to stimulate increased recycling without placing an additional financial burden on the local authorities. The outcome is a revised proposal for increasing recycling based on the provision of a second blue wheel bin on request from residents for a nominal one-off charge of £25.00. The charge is to meet the costs of registering and on-going management of the additional bins, the cost of procuring the wheelbins and the delivery of the bins.
- 5.3 This is now the preferred option for extending the opportunities for increased recycling in the District because of the following:
- a) It offers a broader opportunity for households to recycle;
 - b) It will potentially have less of an impact for the on-going maintenance of the street scene in the District compared to the option for collecting bundled cardboard;
 - c) It can be delivered within the Medium Term Financial Strategy of the Council without therefore putting an additional financial burden on residents;
- 5.4 Following approval of this revised proposal an implementation plan for the introduction of the extended recycling service will be developed for introduction from 1 April 2018, to include a promotional campaign.

6.0 REVISED POLICY, RESPONSIBILITIES & PROCESSES FOR FLYTIPPING

- 6.1 In 2016/17 there were 18 incidents of large scale flytipping (out of a total of 215 reported incidents of flytipping). These are costly to remove and often merit a detailed investigation to allow for enforcement action. Furthermore Customer Services operatives often record incidents as a single item even when they are reported in detail as black bags of waste. This could potentially be masking missed collections of residual waste. From the 1st April 2018 active on-site monitoring of the waste service will be carried out to ensure this is not the prime cause of such reports of flytipping. Appendix 2 contains the full analysis of the 215 reported incidents of flytipping.

- 6.2 No enforcement action was undertaken in respect of the reported incidents of flytipping and Veolia have been recorded as not having cleared seven incidents of flytipping (3.4%). Subject to being validated this is not acceptable because the duration for clearance is three working days. In comparison, top performing services work on a target of two working days for flytipped materials on publicly owned land.
- 6.3 Following the resignation of the Clean Neighbourhoods Enforcement Officer (Waste Team), who had the prime responsibility for enforcement action in respect of flytipping the opportunity has been taken to review the current policy, responsibilities and process for flytipping removal and enforcement action.
- 6.4 Detailed in Appendix 3 is the refined process for dealing with reported incidents of flytipping that are in line with best practice of high performing councils that take account of the proposed arrangements for the delivery of enforcement functions.
- 6.5 To more effectively deliver the revised policy and process for dealing with flytipping the enforcement activity has been transferred from the Waste Team to Environmental Health with a transfer £16k in salary budget from the Waste Team (from the vacant Clean Neighbourhoods Enforcement Officer post) to the Environmental Health Team for the provision of the enforcement functions.
- 6.6 In line with the Councils Corporate Plan the service response times to remove the flytip are as follows: fly-tipping on public land will be removed within 2 full working days of it being reported where possible. This timeframe will be worked towards but in some instances the quantity and/or hazardous nature of the flytipping may require an extension of this timeframe but this will be confirmed to residents and Members within the set response time.

7.0 Policy for Waste Collections from Private and Unadopted Roads

- 7.1 The Council currently operates a collection point for waste at the edge of the property where it meets the public highway. When the wheeled bin service was introduced properties accessed from private or unadopted roads (where collections had taken place from the property) were continued with only new properties. Furthermore properties which were assessed following collection issues changed to a collection point on the public highway. The latter requires residents to move their bins to the point of collection on the public highway.
- 7.2 Collection at these properties can incur a significant amount of time for the collection crews. Furthermore many of these properties are located down roads in very poor condition and there have been instances where the Waste Service has caused damage to its vehicles incurring vehicle repair and maintenance costs. These roads are not normally built to highway standards; often there are soft verges and overhanging trees. In addition several roads must be reversed down for considerable distances, sometimes in the dark, with no safe place for an employee to operate as a reversing assistant to see the vehicle safely back.
- 7.3 A review of the best practice of top performing waste services has confirmed the following approach waste collections from private and unadopted roads:
- a) In a small number of cases due to the access or the remote location of a property it may not be possible for residents to place bins near the public highway for collection. In certain circumstances a collection from a point on a

private/unadopted road may be agreed subject to an inspection and the following conditions being met:

- i. **Road surface:** roads must be of sound construction with a suitable hard surface, free of large/deep potholes and obstructions which could cause damage or injury to vehicles or persons. The vehicle should be able to travel safely at 25 kmph along the road.
 - ii. **Road width** the minimum road width is no less than 3.5 metres with no obstruction from trees, shrubs etc. which could cause damage to the vehicle
 - iii. **Road length:** if there are several properties located down a road, then there should be passing places, suitable for a refuse collection vehicle (hard surface, not a verge).
 - iv. **Height clearance:** the minimum clearance should be no less than 5.5 metres with no obstruction from overhanging branches, cables etc. which could cause damage to the collection vehicle
 - v. **Turning area:** where a through road does not exist, a suitable turning area must be available to allow the vehicle to turn. The turning area should have a hard surface which is of a sufficient size to allow an 11.5-metre-long vehicle to turn with no more than three manoeuvres and have sufficient space either side of the vehicles to safely turn in the dark. Our collection vehicles will not reverse onto a public highway to turn around.
 - vi. There must be access for the collection vehicle. Any gates must be left unlocked and open as our crews will not open and close these when undertaking collections.
 - vii. An indemnity will be required from the road owner(s) so that the Council will not be liable for any damage due to wear and tear to the road surface which is unlikely to have been built to highway standard.
- b) Where the conditions above cannot be met then the collection point will be where the private/unadopted road meets the public highway. If this location is not suitable for wheeled bins, then alternative collection arrangements may be made, such as a sack collection or a communal collection point if there are several properties located on a private/unadopted road.
- c) In some circumstances a collection point part of the way down a private/unadopted road may be used if the above criteria can be met at that point.
- d) For assisted collection customers the above criteria will still apply. However alternative collection points and collection methods such as sacks will be considered to make collections easier for the resident if the vehicle is not able to travel the full length of the road.
- e) In adverse weather conditions where waste crews are concerned regarding visibility of the road e.g. due to snow cover or icy conditions where they feel the vehicle may slip off the road then the service will suspend collections to such properties. Waste will need to be placed on the public highway for collection, or it will be collected on the next scheduled collection day if conditions have improved.

- 7.4 Before implementing such a policy, the Council has surveyed all the potentially affected roads against the above policy criteria. This enables confirmation of the roads which subject to an indemnity are suitable for collections and the roads that will need to be served by an agreed collection point at the head of the road or on mid-point of the road.
- 7.5 Once the policy has been approved, the proposal is to write to all the properties advising them of the policy and how it is to be implemented. Where residents have concerns the Officers will arrange to meet them on site to discuss the issues and try and come to a mutual solution. This will be done on a phased basis due to the potential number of locations the Waste Team may have to visit. Wherever possible the Waste Team will be looking to see whether an alternative collection point could be agreed (for instance this may be half way down the track where the vehicle can turn), or whether the service needs to consider an alternative collection method (such as sacks rather than bins to help facilitate collections). If all the owners of a track do not agree to provide an indemnity then a roadside collection will be necessary.
- 7.6 The Waste Team anticipate that by working with residents they will be able to come to a practical solution for the properties involved. Subject to approval of the proposed policy and approach for its implementation the Waste Team will develop a project plan and timeframe for its introduction.

8.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

- 8.1 The project is being delivered within its approved budget with no projected overspends at present.
- 8.2 The project plan includes for the preparation of the Final Business Case by ECTC (supported by the Waste Consultant) as part of the MOA.
- 8.3 There are no immediate equalities implications from this report and the proposed amendments to the Council's waste policies increase the opportunities for all households in the District to recycle. The project plan for the proposed reconfiguration of the waste collection services will also include for a full Equalities Impact Assessment.

9.0 APPENDICES

Appendix 1: Waste & Street Cleansing Project Gantt Chart

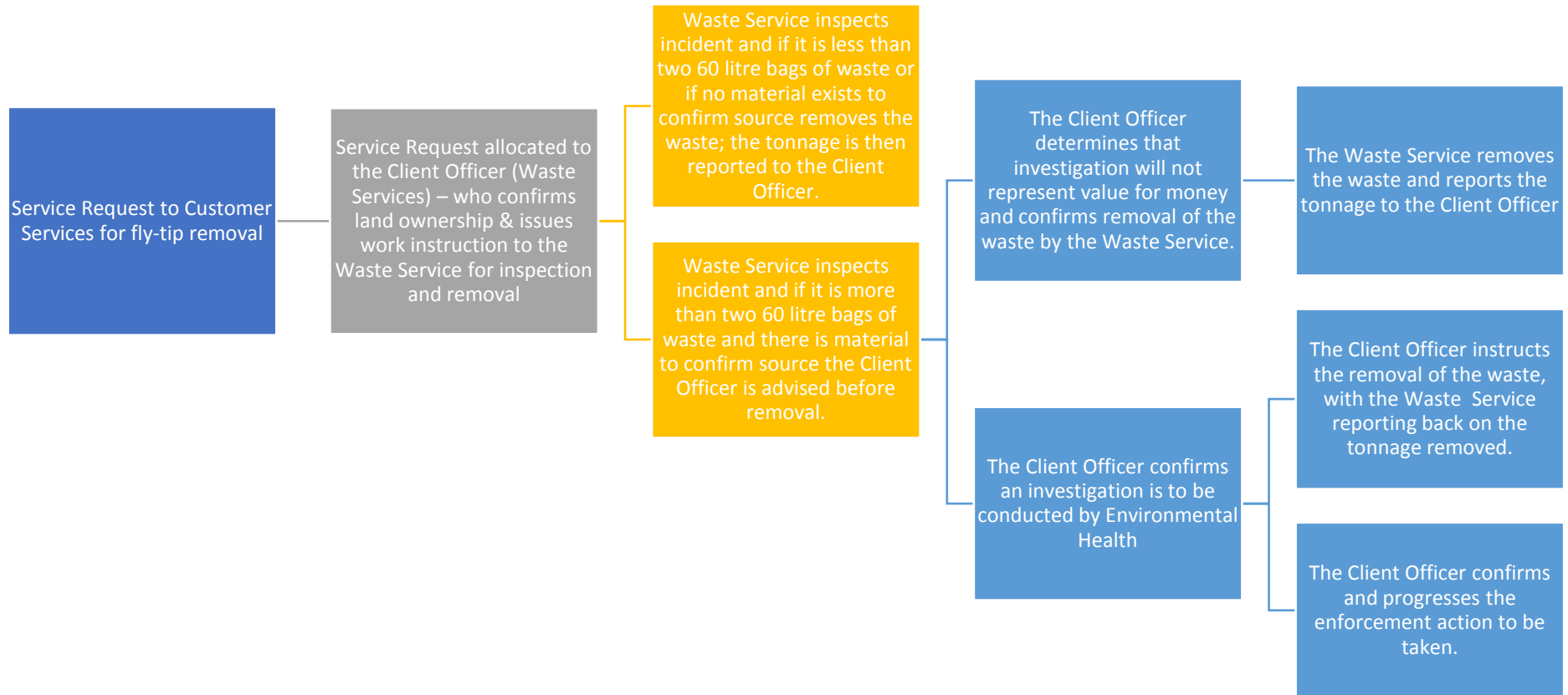
Appendix 2: Profile of Flytipping in 2016/17

- Detailed below is the profile of Flytipping in 2016/19 (to 27 March 2017):

Flytipping Incidents - 2016/17						
Month	Black Bag	Single Item	Car Boot	Small Van	Transit Van	Total
April	0	1	6	1	1	9
May	0	7	5	0	2	14
June	0	3	6	5	0	14
July	0	1	2	5	1	9
Aug	0	6	15	11	2	34
Sept	0	3	5	8	0	16
Oct	0	2	2	7	2	13
Nov	3	3	14	7	2	29
Dec	0	0	4	5	0	9
Jan	0	4	10	9	3	26
Feb	0	0	6	3	0	9
March	1	1	3	13	5	23
Total	4	31	78	74	18	205
Cost of the Clean Neighbourhoods Enforcement Officer						£36,664
Cost per incident for enforcement activities (excluding removal costs)						£178.85
Average number of flytipping incidents per day						0.56

- The categories of flytipping are determined in WasteDate Flow and the Call Centre operatives through discussions with the person reporting the flytip. This data confirms two issues: there were only 18 incidents of large scale flytipping that are costly cost to remove and often merit detailed investigation to allow for enforcement action; and the Call Centre operatives regularly record incidents as a single item even when they are reported in detail as black bags of waste. This could potentially be masking missed collections of residual waste.

Appendix 3: Revised Policy and Process for Dealing with Incidents of Flytipping



BACKGROUND PAPERS**LOCATION****CONTACT OFFICER**

Project Board minutes

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Terms of Reference

The Grange

Waste Risk Register

Ely

Gantt Chart

Project Progress Reports

Stakeholder Plan