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## CORRESPONDENCE FOLLOWING THE COMMITTEE MEETING

**Committee** ENVIRONMENTAL SCRUTINY COMMITTEE

**Date and Time of Meeting** TUESDAY, 13 OCTOBER 2015, 4.30 PM

Please find below correspondence send by the Committee Chair following the meeting, together with any responses received.

For any further details, please contact [scrutinyviewpoints@cardiff.gov.uk](mailto:scrutinyviewpoints@cardiff.gov.uk)

9 **Correspondence** (*Pages 1 - 26*)

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Ref: RDB/PM/BD/13.10.15

26<sup>th</sup> October 2015

Councillor Bob Derbyshire,  
Cabinet Member for the Environment,  
County Hall,  
Atlantic Wharf,  
Cardiff,  
CF10 4UW.



Dear Councillor Derbyshire,

### **Environmental Scrutiny Committee – 14<sup>th</sup> October 2015**

On behalf of the Environmental Scrutiny Committee I would like to thank you and the officers for attending the Committee meeting on Tuesday 13<sup>th</sup> October 2015. As you are aware the meeting considered an item titled 'Recycling & Waste Restricting Programme – Update on Implementation of Phase 1'. The item provided the Committee with an opportunity to receive a public question regarding the bin roll-out programme. Details of the statement and question provided by Mr Fisher (on behalf of a group of concerned Penylan residents) and your response are recorded in this letter.

### **Statement & Public Question**

Members felt that the trial inclusion of a public question on this Committee's agenda was helpful in developing useful and productive debate on the topic. I wish to thank Mr Fisher and the residents who attended for their research and presentation that bodes well for future public questions at Scrutiny.

### **Summary of the main points from the Statement**

Mr Fisher thanked the Committee for the opportunity of engaging with the Environmental Scrutiny Committee. He stated that, in his opinion, consultation opportunities provided by the Council had been less than adequate during the implementation of Phase 1 of the Recycling & Waste Restricting Programme and he made the following points:

- He explained that the group represented 1,200 houses in south Penylan. A local survey of 800 of the 1,200 houses in Penylan had taken place and the majority of residents indicated that they didn't want the new wheelie bins.
- Mr Fisher explained that they had been told that residents can't have a bespoke waste collection system in Penylan. He added that it wasn't possible to offer them a bespoke waste collection system as no one had actually asked them what they wanted.
- Members were told that residents in Penylan had received less than seven days notice from the Council that their street was going to move from the bag collection scheme to the new wheelie bin system.
- He stated that the residents of south Penylan understand that the Council has to achieve challenging recycling targets and that they actually want to do what they can to help - however, they don't understand why this cannot be achieved by using a bag system. They felt that the bag system has worked in other Welsh local authority areas, for example, Swansea, so why can't it also be made to work in Cardiff?
- He reported that concerned residents had also offered to help by running a local workshop for residents to evaluate the proposals and to make suggestions as to how they can all improve recycling rates.
- Paragraph 13 of the Environmental Scrutiny Committee cover report titled 'Recycling & Waste Restricting Programme – Update on Implementation of Phase 1' dealt with the consultation 'highlights' and stated that 'there was general support for more wheeled bins, reusable sacks and continuation of the green bag scheme'. Mr Fisher felt that this presentation was misleading as the information had been extracted without explanation from an earlier survey (Waste Strategy Survey – a 2025 vision of Cardiff) and not the recent waste consultation report titled 'Consultation Report: Outline Waste Management Strategy – 2015 – 2018'.

- Mr Fisher stated that if Penylan residents had been properly consulted by the Council then they would have provided a far more positive response. He was proud of the fact that most people in Penylan care about the area and that forcing people to place wheelie bins on the small forecourts detracts significantly from the appearance of the neighbourhood.
- The document titled 'Scrutiny Appendices' (attached to this report as Appendix 2) references several independent surveys which were undertaken by local councillors and residents. However, these were not used in the April 2<sup>nd</sup> 2015 Cabinet report despite being well publicised. Mr Fisher believes that these surveys should have at least been referenced as a part of the decision making process.
- Mr Fisher explained that concessions had been provided only to certain streets, i.e. they were allowed to stay on the bag scheme and not transfer across to a wheelie bin system; this he felt just added to the confusion.
- Mr Fisher explained that residents had been told that wheelie bins were the Council's preferred option for health & safety, cost and operational efficiency reasons.
- Mr Fisher also explained that they were willing to report the matter to the Local Government Ombudsman if it was not satisfactorily resolved.

To support the public question and statement, documents titled 'Recycling and Waste Restricting Programme – Update on Implementation of Phase 1 Submission to the Environmental Scrutiny Committee by Residents of South Penylan' and 'Scrutiny Appendices' were submitted to the Committee in advance of the meeting. The documents provided some useful background information for Members and the content has been noted. The documents are attached as **Appendices 1** and **2** respectively.

**The question raised by the group of Penylan residents was:**

*"Evidentially it is clear that consultation, adequate or otherwise, did not occur and that the information given to Cabinet was incorrect and not complete in*

*order to allow them the opportunity to make an informed decision. Is it your intention to completely ignore these facts or will you agree to enter into meaningful and good faith discussions with resident groups to find a way forward that is acceptable to all in these architecturally unique small pockets of Cardiff - ensuring that waste is reduced and recycling enhanced, in a manner sympathetic with the local architectural environment?"*

**In response to the question you explained that:**

- You and officers had already attended two separate meetings in Penylan with groups of residents.
- As a consequence of this consultation, two streets had changed from the change to wheelie bins proposals to red and white bags.
- The recycling and restricting programme is a large Cardiff wide change and previous Cabinets have encountered similar problems and significant initial concern surrounding similar scales of change.
- There was no consultation in your ward (Rumney) in 2004 when wheelie bins were first introduced – however, people had accepted them.
- Other local authorities have far more complicated arrangements; for example, Trafford Council has a waste collection scheme which uses four bins whereas Cardiff will strive for a maximum of two bins.
- Bins are the most practical solution, i.e. they are best for the health & safety of operatives as they reduce injuries from hidden sharps or toxic waste; they do not rip or provide access for birds and vermin; they make it easier to pinpoint the ownership of the waste and people don't have the excuse of saying that they haven't been given a bag.
- When considering allocating wheelie bins to conservation areas you stated that consulted with the Council's conservation officers on the appropriateness of providing them in certain streets. In each instance you followed the advice of the Council's conservation officer.

- The Council is ultimately limited by ever-decreasing finances as to how accommodating it can be in terms of the new waste strategy; however, there were certain areas of Penylan and Canton where concessions were made; these changes were only possible because they could be efficiently incorporated into waste collection rounds. You explained that at the time of the meeting that you could see no reasons for making any further changes and added that if you conceded to the residents of Kimberley Road for example then other Cardiff residents would also demand changes that the Council could not possibly accommodate.
- The recycling performance of the Penylan residents isn't actually as good as was believed being tenth from bottom in terms of Cardiff ward performance.
- Initial feedback on Phase 1 of the Recycling & Waste Restricting scheme suggests that across Cardiff significant improvements in recycling performances are already being achieved.
- You explained that at the end of the year you intend to review the implementation of Phase 1 of the scheme. You agreed to communicate as regularly as possible with the Penylan residents and provide them and councillors with progress updates.

### **Recycling & Waste Restricting Programme – Update on Implementation of Phase 1**

During the way forward Members considered the item on 'Recycling & Waste Restricting Programme – Update on Implementation of Phase 1'. They made the following comments and observations:

- The Committee has asked if you could you provide a list of streets which were initially proposed for the new wheelie bin scheme and after consultation allowed to stay on the bag scheme. This list should be supported by the reasons why they were allowed to remain on the bag scheme. Further to this Members have asked if you could provide a

summary of the logistical considerations taken into account when revising the waste collection rounds and how these help improve efficiency. The Committee fully understands how vehicle deployments and capacities can allow one street to be included in a round but not others – nevertheless, a way has to be found to explain this more clearly to residents.

- Members also discussed the idea of publishing ward recycling data on a regular basis. They were very keen on this idea and have asked you to look into creating ward recycling league tables. These they feel might encourage recycling competition between wards or sub-ward areas and in turn help to drive up recycling rates. It was felt that a regular media acknowledgement for a designated area coming top should be considered.
- The Committee noted that there are differences between Cardiff's conservation areas. They agreed with residents that less than one week of notice of implementation was insufficient for a waste collection change of this scale and asked that far more notice be provided in future.
- Members note that all of the waste collection changes will be reviewed in future to monitor the progress. I would be grateful if you could provide us with the outcome of the first review, in particular the details relating to the Penylan ward.
- It was stated during the meeting that paragraph 13 of the scrutiny report was not accurate. This stated that consultation had identified *vaguely* that 'there was general support for more wheeled bins, reusable sacks and continuation of the green bag scheme'. The Penylan residents representatives explained that this was not identified from the 'Consultation Report: Outline Waste Management Strategy, 2015 -2018' and that the most likely source for the statement was a survey titled 'Waste Strategy Survey – a 2025 vision of Cardiff'. Members felt that a report to Cabinet should clearly indicate the source of the information which allowed you to conclude that 'there was general support for more wheeled bins, reusable sacks and continuation of the green bag scheme'. I would be grateful if you could clarify the source used for this assertion.



- A Member asked how many notices have been issued under section 46 of the Environmental Protection Act and how many of these resulted in the payment of fines. I'd be grateful if you could provide a breakdown of the section 46 notices issued in the last three years along with the number of fines resulting from the notices.
- Members were interested in the health and safety impact of collecting an increasing number of green recycling bags and reducing number of black bags, for example, has the type of injury experienced by waste collection operatives changed appreciably in the last three years. In addition to this Members would like a summary of the types of protective clothing issued to waste collection operatives and processes in place to ensure that the actual protective clothing is used.
- It was mentioned during the meeting that deliveries of additional white and red bags would be made in certain areas to support waste collection in areas with higher transient populations. I would be grateful if you could provide the committee with detail of these additional deliveries.

I would be grateful if you would consider the above comments and provide a response to the requests made in this letter.

Regards,

A handwritten signature in black ink that reads "P. D. Mitchell". The signature is written in a cursive, slightly slanted style.

Councillor Paul Mitchell  
Chairperson Environmental Scrutiny Committee

Cc to:

Andrew Gregory, Director for City Operations  
Tara King, Assistant Director for the Environment  
Jane Cherrington, Operational Manager, Strategy & Enforcement

Paul Keeping, Operational Manager, Scrutiny Services

Joanne Watkins, Cabinet Office Manager

Members of the Environmental Scrutiny Committee

Councillor Joe Boyle, Elected Member for Penylan

Councillor Bill Kelloway, Elected Member for Penylan

Mr Lee Fisher, Resident of Penylan

Ref: RDB/PM/RP/13.10.15

26<sup>th</sup> October 2015

Councillor Ramesh Patel,  
Cabinet Member for Transport, Planning & Sustainability,  
County Hall,  
Atlantic Wharf,  
Cardiff,  
CF10 4UW.



Dear Councillor Patel,

**Environmental Scrutiny Committee – 13<sup>th</sup> October 2015**

On behalf of the Environmental Scrutiny Committee I would like to thank the officers for attending the Committee meeting on Tuesday 13<sup>th</sup> October 2015. As you are aware the meeting considered an item titled 'Planning Service – Member Update'. Members found the update very useful and note the significant planning changes having to be implemented by the Council and other Welsh Local Authorities. They will monitor the changes with interest and review how these impact on service delivery at future meetings.

In addition to this I am pleased to confirm that the Environmental Scrutiny Committee has now agreed to take part in two planning related task & finish exercises. These are:

- Management of Section 106 Funding for Developing Community Projects – run by the Environmental Scrutiny Committee and due to commence in November 2015;
- Community Infrastructure Levy – a cross committee task group which will evaluate future community infrastructure levy options for Cardiff; this will take place in late November 2015.

Please note that this letter does not require a response.

Regards,

A handwritten signature in black ink that reads "P. D. Mitchell". The signature is written in a cursive, slightly slanted style.

Councillor Paul Mitchell

Chairperson Environmental Scrutiny Committee

Cc to:

Andrew Gregory, Director for City Operations

Tara King, Assistant Director for the Environment

James Clemence – Head of Planning

Simon Gilbert – Operational Manager, Development Management (Strategic  
& Place Making)

Paul Keeping, Operational Manager, Scrutiny Services

Joanne Watkins, Cabinet Office Manager

Members of the Environmental Scrutiny Committee

Councillor Michael Michael, Chair of Cardiff's Planning Committee

Ref: RDB/PM/LF/13.10.15

26<sup>th</sup> October 2015

Mr Lee Fisher,  
54 Kimberley Road,  
Penylan,  
Cardiff,  
CF23 5DL.



Dear Mr Fisher,

**Environmental Scrutiny Committee – 13<sup>th</sup> October 2015**

On behalf of the Environmental Scrutiny Committee thank you for attending the Committee meeting on Tuesday 13<sup>th</sup> October 2015. Members felt that your statement and public question added real value to the scrutiny process when considering the item titled 'Recycling & Waste Restricting Programme – Update on Implementation of Phase 1'.

As is customary the Committee discussed the 'Recycling & Waste Restricting Programme – Update on Implementation of Phase 1' item during the 'Way Forward' section of the meeting. This resulted in a letter being sent to Councillor Bob Derbyshire setting out the comments, observations and concerns of the Committee. The letter also summarises your statement, Councillor Derbyshire's response and records the public question. For your reference the letter is attached to this letter as **Appendix 1**.

I hope that you found the experience of taking part in the scrutiny meeting worthwhile. I and the other Members of the Committee always welcome public participation and feedback. Once again many thanks for taking part. If you have any further questions please ask,

Regards,

A handwritten signature in black ink that reads 'P. D. Mitchell'.

Councillor Paul Mitchell  
Chairperson Environmental Scrutiny Committee

Cc to:

Andrew Gregory, Director for City Operations

Tara King, Assistant Director for the Environment

Jane Cherrington, Operational Manager, Strategy & Enforcement

Paul Keeping, Operational Manager, Scrutiny Services

Joanne Watkins, Cabinet Office Manager

Members of the Environmental Scrutiny Committee

Councillor Joe Boyle, Elected Member for Penylan

Councillor Bill Kelloway, Elected Member for Penylan

Councillor Bob Derbyshire, Cabinet Member for the Environment

**SWYDDFA CYMORTH Y CABINET  
CABINET SUPPORT OFFICE**

Fy Nghyf / My Ref : CM32578  
Eich Cyf / Your Ref : RBD/PM/BD/13.10.15  
Dyddiad / Date: 7th January 2016



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Councillor Paul Mitchell  
Cardiff Council  
County Hall  
Atlantic Wharf  
Butetown  
Cardiff  
CF10 4UW

Annwyl / Dear Paul

**Environmental Scrutiny Committee 14 October 2015**

Thank you for your correspondence dated 27 October 2015, your comments and feedback are always of assistance and taken on board. The questions from the public also help us to develop and improve future changes.

I have listened to Mr Fishers comments and will provide the following feedback.

I can appreciate that residents may have seen a big change in how we are asking them to recycle store and dispose of their waste and are conscious of the concerns that some people have raised. With any change we are unlikely to keep all residents happy, but I am sure we all want to see cleaner streets and ensure Cardiff does not fail future Welsh Government's recycling targets.

If we fail to improve on our recycling then we face fines of £400,000 for every one per cent we miss. This is the equivalent of almost 0.5% on Council Tax bills - money we would rather see spent on essential services.

Balancing all these objectives is no mean feat, but with residents help it is essential to making it happen and we fully recognise this.

Overall, as you know, the Council strongly supports the benefits of waste being collected in black wheeled bins over bags. The Council remains committed to the use of wheeled bins for waste collections as they increase ownership, reduce the litter on our streets and are safer for operatives. Wheeled bins are proven to contain waste reducing street litter from ripped bags.

The Council cannot afford to provide bespoke services and must deliver the most cost effective and efficient services. I understand that people have strong feelings about waste services and what they would like to see happen.

The comments made by some residents who felt that there was insufficient consultation have been taken on board and I will work with officers to ensure we improve future processes. I also welcome Mr Fisher's commitment to support

**PLEASE REPLY TO / ATEBWCH I :** Cabinet Support Office / Swyddfa Cymorth Y Cabinet,  
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Atlantic Wharf / Glanfa'r Iwerydd, Cardiff / Caerdydd



recycling and the need to reduce the amounts of waste we create and throw away.

With regards to the lack of notice about the changes, the printing company employed to print letters and leaflets passed them to Royal Mail for delivery on 29 June 2015. They were then posted via Royal Mail (usual time scales apply) and the bin expansion took place on 23 July 2015. This would have given most households at least three weeks' notice, which is the normal timescale we work towards. Only those few streets that had a change at the last moment because of local councillor representation had a revised letter a week before the changes.

Prior to the letters and leaflets being delivered, local ward members were invited to attend a series of briefings throughout May, and the city wide campaign began in June. The city wide campaign included activities such as:

- Adverts on buses and bus stops
- Information on the big screen in The Hayes
- Bill boards
- Radio adverts
- Local press (articles and adverts)
- Social media etc.
- Coverage of the changes in the printed and online versions of the Capital Times

Whether an area has bags, bins are our preferred method of collection for residual waste. Bins alleviate manual handling, reduce opportunities for split bags and encourage ownership amongst residents. Equally over time the cost of providing the bags every six months is more expensive than providing a bin that will last several years.

Previous wheeled bin consultations have received, on average, 26% response rate and yielded a very close decision on a preferred method of collection. We have used the results of these consultations to roll out bins in the past, but they're not actually a fair representation of the area.

Since the last consultation with residents, officers have received a number of requests from residents who want bins in the area and more recently we have also had comments from residents who are in support of the delivery of bins which is due to take place. Even with the recent changes the number of objections was low compared to the number of households in scope.

I did make some concessions on the green bin to a few streets in Penylan and also in Canton, but this was following representations made by local Councillors on residents behalf. I appreciate this may have been confusing for some residents, but I hope most support the decision that was made.

I have enclosed the before and after for the two wards that had a change (Penylan and Canton). In these wards a few streets were changed from a green bin service to a reusable garden sack service. It should be noted that no changes were made to the black wheeled bin provision. The request for a change was made by the local Councillors as they felt that there was insufficient access and storage for two wheeled bins. Where it was operationally possible the change was made. Not all streets could be accommodated and did not receive a change. It also meant that some streets that hadn't requested a



change also had a change as it was required to keep the collection rounds as efficient as possible.

The key factors that are considered when designing a collection round are the timings to empty the containers and the number of vehicles required each day for each material stream. We aim to get a consistent number of vehicles working each shift, across each day of the week. To do this the collection rounds are designed across the whole city, considering four different waste streams, two shift patterns and five days of the week. I am sure you can appreciate that this is very complex. Each vehicle must have a sensible number of households to service based on the time taken to collect that waste stream. It was only possible to change a few properties in each of the two wards without imbalancing the city wide calculations. This is not a simple message to convey, but I will try to ensure we improve our communications.

The collation of ward by ward recycling data is a difficult task as to ensure the collections are as efficient as possible the crews are not restricted to ward boundaries when collecting waste, they work within a zone for that day. Therefore on a typical collection round the data cannot always be guaranteed from a specific ward. The production of the ward by ward data every few years is a bespoke project, but this in itself is intensive to produce. Once the collection changes have fully bedded in, officers will look to revisit the recycling ward performance late in 2016.

A review will take place during early 2016 as we need to allow the scheme to bed in. This review will not look at residual waste bins, but will look into the uptake of the reusable garden sack to see how effective and efficiently the service is running. If inefficiencies are identified we may need to move residents from one scheme to another. The review may also consider if further black wheeled bin expansion is possible. At this point I am unable to comment on what this may or may not mean for any specific ward. Any proposed change will be discussed with the local members prior to any changes progressing.

The Consultation reports are all available on line. In the Waste Strategy Survey - a 2025 vision for Cardiff the question was asked on people support for bags or wheeled bins. The strong result was for more bins.

With regard to the Section 46 Notices 3920 have been issued since the 1 April 2013. There have been 218 Fixed Penalty Notices issued since 1 April 2013 as a result of a breach of the Section 46 Notices. This shows that the public have corrected their behaviours and are beginning to adapt to the changes.

In relation to the health and safety impact of collecting an increasing number of green recycling bags and reducing number of black bags, the recording of incidents relating to the handling of wheeled bins and bags is categorized as "Injured while handling, lifting or carrying. They are not broken down by the specific type of container, so we are unable to provide you with the breakdown between green bags, black bags and bins. Statistics are as follows:-

2013-14;

- 47 reported

2014-15;

- 28 reported

2015 – to date

- 10 reported

The HSE have done extensive research into the matter of wheeled bins and bag collections. The findings can be found in the Pinder Report Manual handling in refuse collection, HSL/2002/21.

Work is continuous with both the directorate H&S advisor and the Councils approved Manual Handling Trainer to improve the quality of the practical training element with the aim to increase awareness to ensure the load is correctly assessed before lifting.

In conjunction with Manual Handling Training, Waste Collection Supervisors undertake regular Manual Handling Monitoring as set out by the Councils Code of Guidance for Manual Handling.

The protective clothing issued to waste collectors is as follows;

- Protective footwear - BSEN345 (with steel cap toes)
- Ballistic trousers – protective leg panel BSEN388 (cut level 2)
- High Visibility top –BSEN471 (Class 2)
- Gloves – BSEN388 (cut level 3)
- Additional clothing is provided for protection in wet weather (BSEN343 & BSEN471 – Waterproofness / Breathability 3:3)

Protective clothing is issued via Waste Management Stores where the operative signs for the item received. Protective clothing forms part of routine observations carried out by the Supervisors where the compliance of wearing the clothing is monitored and to ensure the clothing is fit for purpose e.g. good tread on footwear, high visibility top is reflective.

I must stress that the additional striped bag provision, along with an additional black bin provision is outlined in the original Cabinet report on how additional support will be provided to those with a disability, larger families or specific medical need. Over the summer period the teams worked hard to ensure that properties on the bag scheme have the correct allocations depending on the number of people in each dwelling. This information is now held in our data bases and future deliveries will provide the correct number of bags for the household. For those properties with limited access we have also identified that the only suitable approach to ensure they get their quota of bags is for them to collect them directly.

Red striped bag deliveries were made in July to all areas on the scheme. The next round of deliveries of red striped bags were made in September to the Cathays, Plasnewydd and Gabalfa wards to coincide with Fresher's week. The rest of the bag areas had deliveries before the Christmas break. Deliveries of stripped bags will now take place every six months.

I trust the above has addressed each point in turn. Thank you again for taking the time to review our processes of this significant project.

Yn gwyir  
Yours sincerely

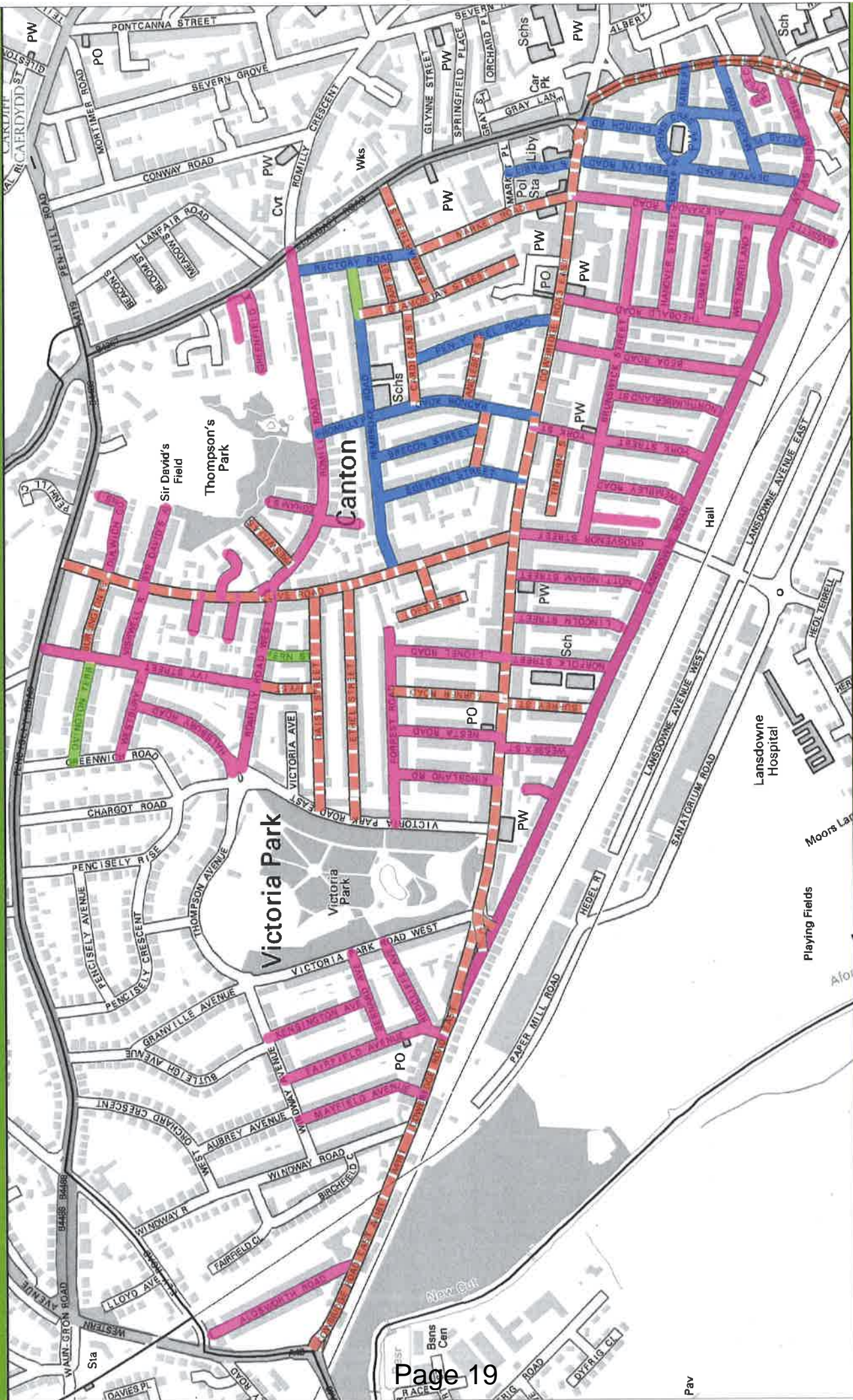


**Councillor / Y Cyngorydd Bob Derbyshire**  
**Cabinet Member for Environment**  
**Aelod Cabinet Dros Yr Amgylchedd**

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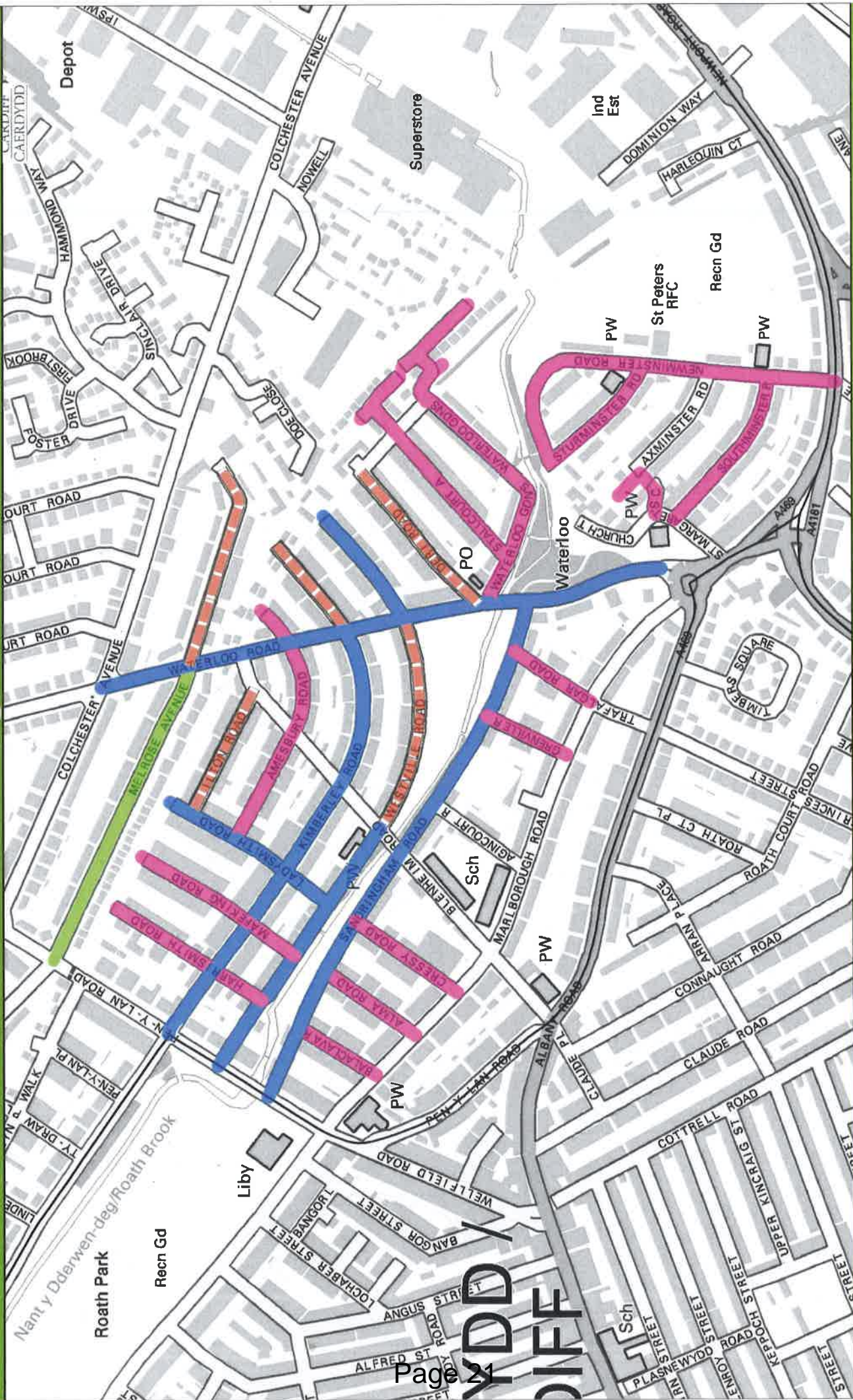
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# Canton





# Penylan

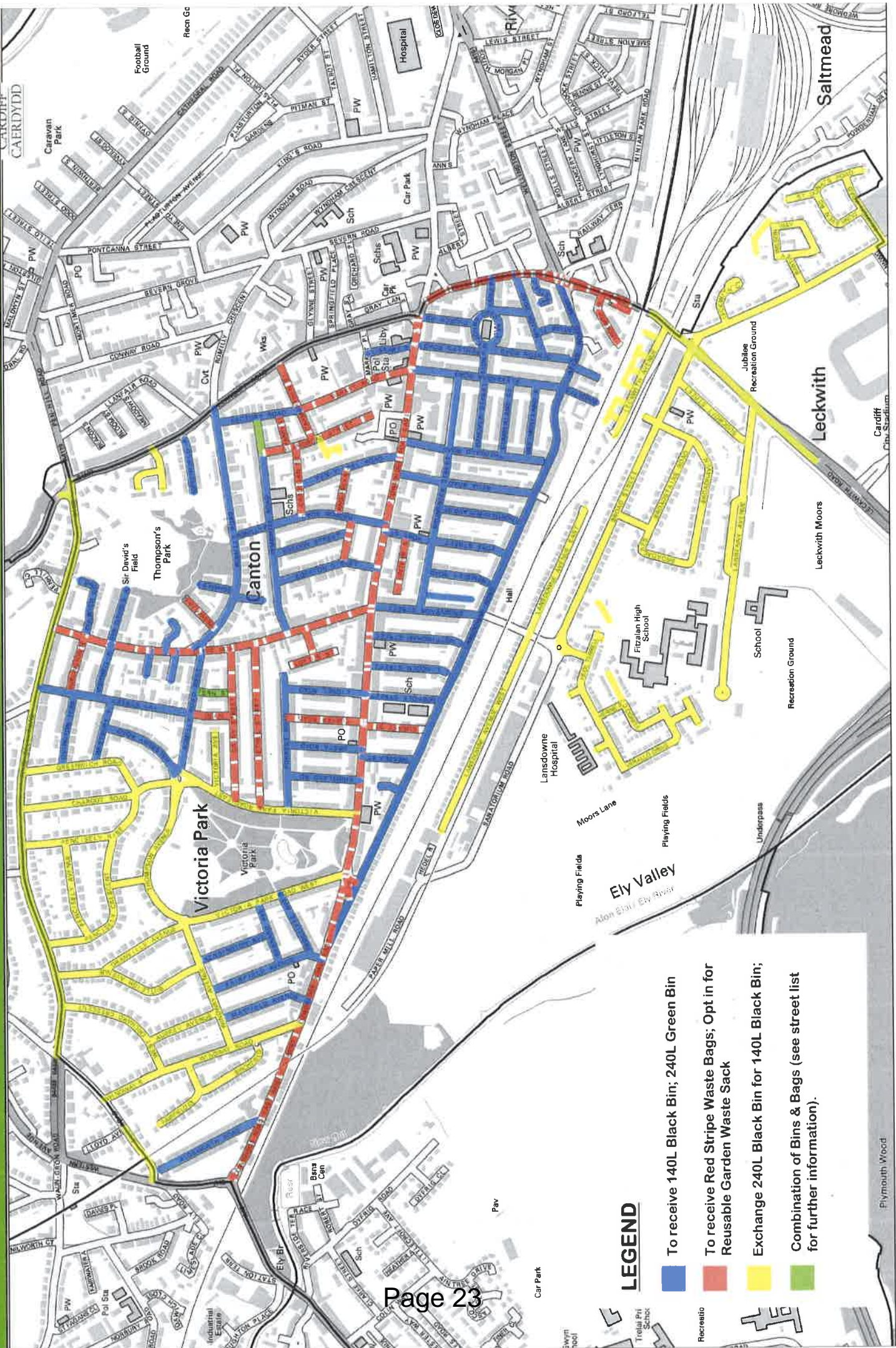


-  Black Bin & Green Bin
-  Black Bin Only
-  Red & White Stripe Bags
-  Combination - See further detail





# Canton

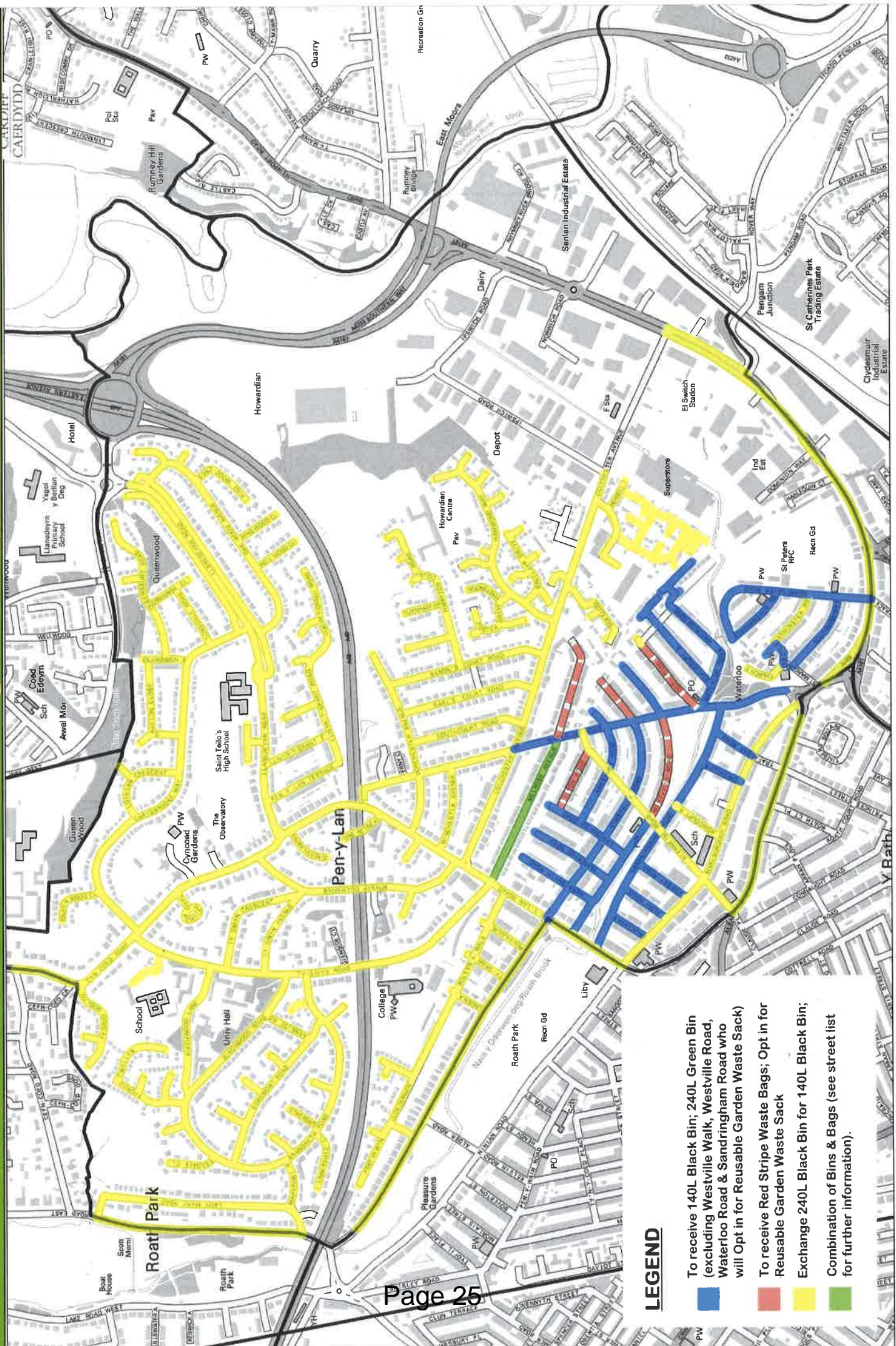


## LEGEND

- To receive 140L Black Bin; 240L Green Bin
- To receive Red Stripe Waste Bags; Opt in for Reusable Garden Waste Sack
- Exchange 240L Black Bin for 140L Black Bin;
- Combination of Bins & Bags (see street list for further information).



# Penylan



## LEGEND

- To receive 140L Black Bin; 240L Green Bin (excluding Westville Walk, Westville Road, Waterloo Road & Sandringham Road who will opt in for Reusable Garden Waste Sack)
- To receive Red Stripe Waste Bags; Opt in for Reusable Garden Waste Sack
- Exchange 240L Black Bin for 140L Black Bin;
- Combination of Bins & Bags (see street list for further information).

