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## CORRESPONDENCE FOLLOWING THE COMMITTEE MEETING

**Committee** ENVIRONMENTAL SCRUTINY COMMITTEE

**Date and Time of Meeting** TUESDAY, 15 NOVEMBER 2016, 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 Following the Committee Meeting** *(Pages 1 - 10)*

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Ref: RDB/PM/BD/15.11.16

28 November 2016

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



Dear Councillor Derbyshire,

**Environmental Scrutiny Committee – 15 November 2016**

On behalf of the Environmental Scrutiny Committee I would like to thank you and the officers from the City Operations Directorate and Commercial Services for attending the Committee meeting on Tuesday 15 November 2016. As you are aware the meeting considered items titled 'Managing Litter in Cardiff', 'Neighbourhood Services – Member Update' and 'Performance Reporting – Quarter 2'. The comments and observations made by Members following this item are set out in this letter.

**Managing Litter in Cardiff**

- The Committee notes the scale of the task facing Cardiff's Street Cleansing Service in keeping the city clean. They would like to thank all of the staff involved in this huge task and congratulate them for the improvements delivered in the last 12 months. In particular they feel that the improvement in the scores of the two 'Local Government Data Unit Wales Report – 2015/16' indicators has been a great success:
  - Percentage of land of a high or acceptable level of cleanliness – 86.8% in 2014/15 to 90.64% in 2015/16;
  - Percentage of reported fly tipping incidents cleared within 5 working days – 82.61% in 2014/15 to 97.91% in 2015/16.
- During the meeting a Member once again stressed the importance of the newly formed Neighbourhood Services working closely with the Waste

Collection Service to maximise cleansing performance. He felt that it was vitally important to ensure that this type of collaborative working approach is maintained, particularly now that Street Cleansing sits in Neighbourhood Services and Waste Collections is in Commercial Services.

- Members agree with the proactive educational messages being delivered in Cathays and in particular welcome the approach of directing these messages at university students. In addition they agree with the idea of issuing house based fixed penalty notices against shared houses as it stops the problem of specifically identifying who is responsible for any littering and instead places the onus on the landlord to manage the issue.
- The Committee notes that 35 days is a long time to have to wait to deal with litter problems on private property frontages. They support any legal approach that the Council might apply to speed up this process, for example, by using Section 4 of the 'Prevention of Damage by Pests Act 1949 (Harbourage)' which can result in removal action being taken within seven days if the evidence supports the presence of vermin.
- Members note and support the concept of the ward based blitzes which have recently taken place as a part of the 'Love Where You Live' campaign. I would be grateful if you could provide the Committee with an update on this campaign in early 2017 when sufficient evidence should have been collected to indicate the progress made as a result of this campaign.
- As stated above the Committee acknowledges the significant improvement achieved in increasing the percentage of reported fly tipping incidents cleared within 5 working days from 82% in 2014/15 to 97.91% in 2015/16. This moved Cardiff from the 21<sup>st</sup> to the 4<sup>th</sup> best performing local authority in Wales. While this is seen as a huge improvement the Committee would like to understand what the three authorities ranked higher than Cardiff are doing to produce an even better result. Understanding this could help Cardiff achieve even better progress.
- During the meeting I asked if enforcement officers had the power to issue fines for littering and then accept an on the spot cash payment. It was

explained that enforcement officers are not able to collect cash payments for fines. I would be grateful if the Council could do something to reiterate this fact and to ensure that the public understands that the Council does not accept such on the spot cash payments for littering fines.

- At the meeting you explained that enforcement officers can only use body cameras as a safety feature and that they cannot be used to record the actual littering offence. I note that you were slightly frustrated at this position, particularly as some private sector litter enforcement companies in England are able to use body cameras as a personal safety and evidence gathering tool at the same time. The Committee supports your view and asks that you continue to push for cameras to be used as an evidence gathering tool.
- It was noted that Neighbourhood Services is in the process of implementing a new AMX infrastructure asset management tool and that a 'reporter app' is being developed to make it easier for the public to report things like potholes and fly tipping incidents. The Committee looks forward to receiving a progress update on both of these new initiatives when it again scrutinises Neighbourhood Services in March 2017.

### **Neighbourhood Services – Member Update**

- As per our comment within the Managing Litter in Cardiff section of this letter we will continue to advocate the use of body cameras for both evidence gathering and supporting personal safety.
- The Committee welcomes the implementation of the balanced scorecard approach for future performance management within Neighbourhood Services. They look forward to reviewing the new balanced scorecard and the initial results for Neighbourhood Services in March 2017.
- It should be noted that the requests within this letter about Neighbourhood Services will also be included in the letter to the Cabinet Member for Transport, Planning & Sustainability as parts of the service fall within the

Transport, Planning & Sustainability portfolio. I am happy to receive a joint reply on the requests made regarding Neighbourhood Services.

## **Performance Reporting – Quarter 2**

- During the meeting I asked a question about the level of staff expenditure across City Operations and Commercial Services; in particular I asked why agency spend was so high compared to the actual agency budget for both services. I would be grateful if you could provide a detailed response to this question in your reply to this letter. The same point has been raised with the Cabinet Member for Transport, Planning & Sustainability.
- When talking about reuse facilities you explained that such a scheme would work against the Council in terms of achieving its recycling target. You continued by saying that when an item is reused instead of being recycled it does not contribute to Cardiff's recycling total. You felt that this was slightly unfair as reuse should probably be at the top of the recycling hierarchy. The Committee agrees with your position on this and asks that you lobby the Welsh Government to provide 'recycling credits' for any reused items.
- Members welcomed the news that the new Kelda anaerobic digestion plant will be officially opened in 2017. I would appreciate it if you could arrange for the Committee to have a tour of this new facility along with an overdue visit to the Viridor energy from waste facility in Splott.
- A Member explained that recent changes to the commercial food waste collection scheme had caused some difficulties for companies who placed green plant waste into the food waste stream. He had been informed that the changes had been put through to ensure lower contamination levels (i.e. less garden waste and more food waste) - this meant that some commercial customers now had to find an alternative commercial provider to deal with their green plant waste. I would be grateful if you could ensure that Cardiff's Commercial Waste Service makes sure that the new

commercial food waste standards are clearly communicated to all food waste customers.

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:

Andrew Gregory – Director for City Operations

Tara King – Assistant Director for Commercial & Collaboration Services

Jane Cherrington – Operational Manager, Strategy & Enforcement

Pat McGrath – Operational Manager, Projects

Matt Wakelam – Operational Manager, Infrastructure & Operations

Paul Keeping – Operational Manager, Scrutiny Services

Davina Fiore – Director for Governance & Legal Services

Members of the Environmental Scrutiny Committee

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Ref: RDB/PM/RP/15.11.16

28 November 2016

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



Dear Councillor Patel,

**Environmental Scrutiny Committee – 15 November 2016**

On behalf of the Environmental Scrutiny Committee I would like to thank you and the officers from the City Operations Directorate for attending the Committee meeting on Tuesday 15 November 2016. As you are aware the meeting considered items titled 'Neighbourhood Services – Member Update' and 'Performance Reporting – Quarter 2'. The comments and observations made by Members following this item are set out in this letter.

**Neighbourhood Services – Member Update**

- During the item on Managing Litter in Cardiff the Committee discussed the need for enforcement officers within Neighbourhood Services to be able to use body cameras for both evidence gathering and supporting personal safety – the cameras are currently only used for supporting personal safety. The Committee supports the Cabinet Member for the Environment's view that the Council should do what it can to enable the body cameras to be used to gather evidence and not just to be used as a personal safety device. As enforcement officers fall within the remit of the Environment portfolio this point only needs to be noted.
- The Committee welcomes the implementation of the balanced scorecard approach for future performance management within Neighbourhood Services. They look forward to reviewing the new balanced scorecard and the initial results for Neighbourhood Services in March 2017.

## Performance Reporting – Quarter 2

- During the meeting I asked a question about the level of staff expenditure across City Operations; in particular I asked why agency spend was so high compared to the actual agency budget for both services. I would be grateful if you could provide a detailed response to this question in your reply to this letter. The same point has been raised with the Cabinet Member for the Environment.
- As you will be aware the topic of the South Wales Metro was discussed at the meeting. Once again I would like to reiterate the Committee's view that light rail is the best way forward for this scheme as it is the more cost effective and flexible transport system available. In addition to this I would personally like to emphasise the importance of completing the circle line between Coryton and Radyr. This I feel is an essential element for Cardiff's part of the South Wales Metro which would significantly improve the transport linkage between the east and west of the city.

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

Regards,



Councillor Paul Mitchell

Chairperson Environmental Scrutiny Committee

Cc:

Andrew Gregory – Director for City Operations

Matt Wakelam – Operational Manager, Infrastructure & Operations

Paul Keeping – Operational Manager, Scrutiny Services

Davina Fiore – Director for Governance & Legal Services

Members of the Environmental Scrutiny Committee

Fy Nghyf / My Ref: CM36381  
Dyddiad / Date: 27th January 2017

Councillor Paul Mitchell  
Chairperson Environmental Scrutiny Committee  
Cardiff Council  
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Annwyl/Dear Paul

### **Environmental Scrutiny Committee - 15 November 2016**

Thank you for your correspondence concerning the above and I would like to take this opportunity to thank you for your comments and I have noted your observations. Firstly, I would like to apologise for the delay in responding, however, I have set out below my response.

#### **Managing Litter in Cardiff**

It was acknowledged at the meeting that there has been a significant improvement achieved in increasing the percentage of reported fly tipping incidents cleared within 5 working days and that Cardiff has moved from 21st to the 4th best performing local authority in Wales. You requested information which explained what the three authorities ranked higher than Cardiff are doing to produce an even better result.

Each Local Authority in Wales varies significantly in terms of geographical context and population density and therefore it is extremely difficult to ascertain improvements. The figures for Cardiff are continuing at a high level with Qtr1 and Qtr2 for 2016/17 being 97.91% and 98.16% respectively.

The area of improvement for Cardiff would relate to the clearance of large scale fly tipping where the service currently borrows JCB and tractor vehicles from Waste Services and Parks to remove this type of waste. At times, such as in this month, the demand for vehicles has been high which has meant that Qtr 3 figures will be lower. This type of clearance does not require a full time resource in terms of specialist vehicle and therefore the consideration for the service as we move forward will be to balance performance with operational demands for the specialist vehicles.

It was explained at the meeting that enforcement officers are not able to collect cash payment for fines and you have asked whether the Council can do something to reiterate this fact.

I can advise that Cardiff Council Neighbourhood Services Enforcement Officers will shortly be wearing uniforms that will differentiate themselves from other third party enforcement contractors. The Officers are fully aware that payments are

#### **ATEBWCH I / PLEASE REPLY TO :**

Swyddfa Cymorth Y Cabinet / Cabinet Support Office, Ystafell / Room 518, Neuadd y Sir / County Hall  
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unable to be made to the Officers directly and that information on payment of the fine will be issued with the paperwork associated with the offence.

The Council will look to provide further information on both our Council Website and Keep Cardiff Tidy to ensure citizens are aware of how fines are managed and how payments can be made.

Neighbourhood Services Enforcement will also be moving towards aligning the payment of fines with those already in place for payment of moving traffic offence and parking offences.

### **Commercial Services**

In relation to Waste Management, there are several reasons why agency spend is over budget. The main reason for this in the collections area is the need to retain flexibility to change the services and deal with seasonal variations. Therefore, we use more agency staff in the summer than the winter months. This can mean that the agency spend profile changes over the year. Whilst the actual agency budget may be less than the actual spend the reverse occurs on the employee budgets. We hold back filling some permanent posts and fill them with agency staff as required to retain flexibility. For example, the agency budget may be £1m overspent, but the employee budgets will be £1m underspent. Our priority is to ensure that the total staff and agency budgets balance as a whole.

Equally, in the more commercially facing areas, we use agency staff to support income generation. These can be short term opportunities or we use agency until the need for full time posts with guaranteed income is secured. Once we are comfortable that permanent posts can be created from the income, we progress with post creation.

I can confirm that any items reused through the Council scheme does count towards our overall recycling performance, therefore this assists our overall performance. Items that do not pass through the Council's scheme are not counted for recycling as the Council has not been involved in the process. Welsh Government and Local Authorities have had several discussions on this matter and the definitions are clearly set.

Officers are pleased to be able to arrange a tour of the Kelda facility and the Viridor plant for the Committee. Officers will be in touch shortly to arrange suitable times.

There are less than 20 commercial customers that are impacted by this change and officers are working with each business to find an alternative solution

I trust the above is of assistance. If you have any further queries, please do not hesitate to contact either myself or my officers direct.

Yn gywir  
Yours sincerely



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