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AGENDA

Committee	ENVIRONMENTAL SCRUTINY COMMITTEE
Date and Time of Meeting	TUESDAY, 5 SEPTEMBER 2017, 4.30 PM
Venue	COMMITTEE ROOM 4 - COUNTY HALL
Membership	Councillor Patel (Chair) Councillors Philippa Hill-John, Owen Jones, Lay, Mackie, Owen, Wong and Wood

Time approx.

1 **Appointment of Chairperson and Committee Membership**

The Council at its meeting held on 25 May 2017 appointed Councillor Ramesh Patel as Chair and the following Members to this Committee: Councillor Philippa Hill-John, Councillor Owen Jones, Councillor John Lancaster, Councillor Chris Lay, Councillor Norma Mackie, Councillor Oliver Owen, Councillor Peter Wong, Councillor Ashley Wood.

2 **Terms of Reference**

The role of this Committee is to scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of environmental sustainability including:

- Strategic Planning Policy
- Sustainability Policy
- Environmental Health Policy
- Public Protection Policy
- Licensing Policy
- Waste Management
- Strategic Waste Projects
- Street Cleansing
- Cycling and Walking
- Streetscape
- Strategic Transportation Partnership
- Transport Policy and Development
- Intelligent Transport Solutions

- Public Transport
- Parking Management

To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government Sponsored Public Bodies and quasi-departmental nongovernmental bodies on the effectiveness of Council service delivery.

To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance and service delivery in this area.

3 Apologies for Absence

To receive apologies for absence.

4 Declarations of Interest

To be made at the start of the agenda item in question, in accordance with the Members' Code of Conduct.

5 Minutes (Pages 1 - 18)

To note the minutes of the meetings held on 14 February 2017 and 7 March 2017; and comment on the minutes from the joint meeting with the Economy & Culture Scrutiny Committee held on the 18 July 2017. Comments relating to the joint meeting on 18 July will be passed onto the Economy & Culture Scrutiny Committee.

6 Managing Street Cleanliness & Total Street Scene in Cardiff *(Pages 19 - 46)*

4.40 pm

- Councillor Michael Michael, Cabinet Member for Clean Streets, Recycling & Environment has been invited to attend the meeting and make a brief statement (if he wishes);
- Officers from the City Operations Directorate have been invited to attend, deliver a presentation and answer Members' questions;
- Questions by members of the Committee.

7 Managing Recycling in Cardiff (Pages 47 - 60)

5.40 pm

- Councillor Michael Michael, Cabinet Member for Clean Streets, Recycling & Environment has been invited to attend the meeting and make a brief statement (if he wishes);

(b) Officers from Commercial & Collaboration Services have been invited to attend, deliver a presentation and answer Members' questions;

(c) Questions by members of the Committee.

8 Environmental Scrutiny Committee - Draft Work Programme 2017/18 (Pages 61 - 70) 6.40 pm

(a) Principal Scrutiny Officer to talk Members through the Draft Environmental Scrutiny Committee Work Programme 2016/17.

(b) Members will need to consider the content of the Draft Environmental Scrutiny Committee Work Programme 2016/17 and decide if they wish to adopt it for the 2016/17 municipal year.

9 Way Forward 7.10 pm

10 Date of next meeting

The next meeting of the Environment Scrutiny Committee is scheduled to be held at 4.30pm on 3rd October 2017, Committee Room 4, County Hall, Cardiff.

Davina Fiore

Director Governance & Legal Services

Date: Wednesday, 30 August 2017

Contact: Graham Porter, 029 2087 3401, g.porter@cardiff.gov.uk

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ENVIRONMENTAL SCRUTINY COMMITTEE

14 FEBRUARY 2017

Present: County Councillor Mitchell(Chairperson)
County Councillors Aubrey, Awan, Clark, Chris Davis,
Keith Jones and Darren Williams

62 : APOLOGIES FOR ABSENCE

Apologies had been received from Councillor Hill-John. Councillor Awan advised that he would need to leave the meeting at 6.30pm.

63 : DECLARATIONS OF INTEREST

No declarations of interest were received.

64 : MINUTES

The minutes of the meeting held on 10 January 2017 were agreed as a correct record and signed by the Chairperson.

65 : DRAFT BUDGET PROPOSALS 2017/18

Corporate Overview

The Chairperson welcomed Councillor Graham Hinchey, Cabinet Member for Corporate Services & Performance, Christine Salter, Corporate Director Resources and Ian Allwood Head of Finance to the meeting.

The Chairperson invited Councillor Hinchey to make a statement in which he said that he wished to thank Officers for their work on this. He noted that the proposals were being brought forward earlier than they have been previously; the time has been used to de-risk and allow directorates to work on planning savings and risk assessments. Ask Cardiff was used in the summer months as well as the consultation on the budget; there had been over 6500 responses which compares well with other core cities. With reference to Neighbourhood areas, last year 4 out of 6 had responded compared to 5 out of 6 this year. Councillor Hinchey advised that this was due to better engagement within the communities.

Members were advised that finding savings was no easier this year and that austerity would be an issue for years to come.

Members were provided with a presentation on the Draft Budget Proposals 2017/18, after which the Chairperson invited questions and comments from Members:

- With reference to the consultation, Members asked what lessons had been learnt for future consultations. The Cabinet Member stated that this year there had been a significant number of responses and he was pleased that areas including Llanrumney had responded. He explained that this year Officers had gone into the communities to engage with people. Results of Ask Cardiff and Budget Consultation had brought about similar themes such as street scene

and cleanliness of streets, which were shared priorities between the Council and the public and that in times of austerity it was important to work in collaboration with each other.

- Members asked in relation to the budget themes 2017/18, whether themes such as commercialisation were near to exhaustion. The Cabinet Member stated that the key issue was technology as it brought so many benefits, such as Radyr Weir, In-cab technology for refuse vehicles, improvements in agile working has meant a better work life balance for employees. He added that the Public Audit Committee have liked what had been implemented so far.
- Members noted the proposed increase in Council Tax of 3.7% and asked how this compared to other Local Authorities and how it could be continued in future years. The Cabinet Member stated that last year Cardiff was fourth lowest of all 22 Local Authorities in Wales in relation to Council Tax increases; he added that future Council Tax would be set by future Councils.
- With reference to Cardiff Market and the proposed investment, Members asked if there was any income generated from the stall holders for this. The Cabinet Member stated that if there was no investment then income generation from the stall holders would go; with investment it could be possible to increase income from the market. Officers had looked at Belfast market and they have diversified into Opera performances and evening opening, all options would be explored in Cardiff.
- Members noted the 10 million for domiciliary care and sought clarification on this. Officers advised that this was for the national living wage, and further explained that there was three levels: The minimum wage, The National Living Wage and then the Voluntary Living Wage which is what Cardiff chooses to pay, as part of the Council's commitment to this, Cardiff must encourage its suppliers and providers to do the same although cannot be forced and is not an essential requirement in contracts. The Cabinet Member added that it was what the Council pays its own employees and agencies and encourages partners to do the same.

Transport, Planning & Sustainability Portfolio

The Chairperson welcomed Councillor Ramesh Patel, Cabinet Member for Transport, Planning & Sustainability, Andrew Gregory, Director for City Operations, Matt Wakelam Head of Infrastructure and Operations, Christine Salter, Corporate Director Resources and Ian Allwood Head of Finance to the meeting.

Members were provided with a presentation on the City Operations Directorate budget proposals relevant to the Transport, Planning & Sustainability Portfolio, after which the Chairperson invited questions and comments from Members:

- Members asked for an update on the parking sensor scheme that had been trialled two years ago. The Cabinet Member advised that it was a very innovative scheme whereby users have an App on their smartphone which can help them find a parking space quickly in the city thus reducing congestion, emissions and improving air quality. Officers stated that the pilot had been launched but they were awaiting full agreement on rolling out to key

areas across the city; positive press had been received from all over the world so far; the company were working to increase the functionality of App ready for the rollout so that it includes all parking in the city not just on street parking and would also include information on public transport .

- Members referred to the 20mph zones and asked if any costings had been undertaken to establish if these schemes could be carried on year on year. The Cabinet Member stated that lots of good press had been received on what had been done so far; £150k was listed as the figure as there were costs associated with determining the designating zones, legal notices etc., and ways of funding were being explored. Officers added that it was entirely within the remit of the parking reserve providing it was politically endorsed and wanted by the public.
- Members asked what areas had been earmarked as 20 mph zones and were advised that a map determining the most suitable sites was being developed; the pilot was in Roath/Cathays and Riverside/Canton and the roll out would be from the City Centre outwards as that is where the most pressures are.
- Members asked how much the pilot in Cathays had cost and were advised that Cathays had been cheaper at £60k but the costs depends on the size of the site, number of junctions/streets etc. The cost of the schemes were around 15% of a traffic calming scheme where raised tables and changes to drainage had to be undertaken. The ward member for Cathays was advised that she would receive an evaluation report on the scheme soon.
- Members sought clarification on the money being allocated in the budget for potholes. The Cabinet Member stated that £320k had been added last year and was being added again this year, in addition to the increase in the base budget. Members asked what percentage of parking enforcement revenue could be used to offset these costs, officers advised that this was difficult to predict as the revenue would plateau as people got used to the bus lanes.
- Members referred to Central Square and the Integrated Transport Hub, the figures contained within the report; whether planning permission had been submitted and if the NCP carpark was being demolished. Members were advised that the demolition on the NCP carpark had begun, the Draft Capital Programme includes the figures, if approved then expenditure would start and that information on planning application submissions should be sought by writing to the Cabinet Member directly.

Environment Portfolio

The Chairperson welcomed Councillor Bob Derbyshire, Cabinet Member for the Environment, Matt Wakelam Head of Infrastructure and Operations, Christine Salter, Corporate Director Resources and Ian Allwood Head of Finance to the meeting.

The Chairperson invited Councillor Derbyshire to make a statement in which he said that there had been better news in terms of the settlement, this would enable more positive proposals.

Members were provided with a presentation on the City Operations Directorate budget proposals relevant to the Environment Portfolio, after which the Chairperson invited questions and comments from Members:

- Members made reference to liveable streets and intensive street cleansing and asked when this would be rolled out to outlying wards to ensure equality. The Cabinet Member stated that the inner city wards have the biggest issues therefore they are concentrated on first of all; going forward the intention was to look at issues in outer wards, where the challenges are and if any extra cleansing was required i.e. on shop fronts. He added that it was important that people feed in any issues they see that need addressing. Officers added that the third round on the inner city wards would be completed by the end of March after which they will start on the outer wards, officers would shortly write to local Members to identify areas. Members were advised that enforcement figures were up by 75% in the last quarter as there had been reinvestment in the teams; Cabinet had supported the Investment of £350k into the base budget for the blitz team, for deep cleaning in inner wards and the teams would also be taking responsibility for leaf fall issues and for parks in peak times such as summer holidays. Officers were also looking at the teams areas/rounds to ensure they are the most impact effective due to demands.
- Members referred to the refurbishment of sports facilities and asked if these were Council owned facilities. Members were advised that they were unless they have a vested interest a building where a partner is running a service on the Councils behalf; the aim was to raise standards across the city.
- Members asked about noise pollution fines and if the money from these go back into the service. Officers advised that this was the remit of the Shared Regulatory Service, the money from smaller fines was used to pay for legal services and money from larger fines went to Central Government after legal costs had been deducted.

Commercial & Collaborative Services

The Chairperson welcomed Councillor Bob Derbyshire, Cabinet Member for the Environment, Tara King, Assistant Director for Commercial & Collaborative Services, Christine Salter, Corporate Director Resources and Ian Allwood Head of Finance to the meeting.

The Chairperson invited Councillor Derbyshire to make a statement in which he said that it had only been around 8 months since the switch had taken place and so far it had been very successful; they had achieved all they had hoped for and now there was more confidence in it working going forward.

Members were provided with a presentation on the areas of Commercial & Collaborative Services relevant to the Environment Portfolio, after which the Chairperson invited questions and comments from Members;

- Members asked for clarification on the pest control service and were advised that previously they had bought external services, and were now using internal services so it was circular spend; Cardiff also now undertakes some work for

Newport and the Vale of Glamorgan. The Cabinet Member added that lots of people don't realise what services Cardiff Council can provide and that there is work to be done on improving advertising and marketing.

Members asked what marketing was currently being done and were advised that it was being reworked, the offer was being rebranded and costs and budget controls were being looked at. The offer needs to be right for the customers, going forward Apps and webpages would be used more as well as the usual In Cardiff publication. There is a new advertising unit in Economic Development which would be utilised and there were good design teams in the Council; advice had also been received from People 2.

- Members asked if it was anticipated that any new residential development would be occupied this year and if so does the Council have the capacity to service these. Officers explained that there were growth bids in based on data from the planners demographics; the Council gets notified quickly when people move into properties and plans are put into place.
- Members asked if the 6.7% revenue grant would be sustained for the next few years; officers explained that there had been investment in the Ministerial Board and it was proposed that this becomes part of the single revenue grant. Discussions on this were ongoing; in 2018/19 it would be part of the main RSG, officers did not think that 6.7% per year would be sustainable with an increase in recycling targets.

The Cabinet Member stated that the Welsh Government had set recycling targets for Cardiff higher than the rest of Wales, the grant had been to help with those targets; he added that he would liaise closely with the WLGA to achieve them.

- Members asked for the costs of Bulky Item Collection and the cost of the White and Red bags. Officers did not have the costs to hand but noted that this question had been answered in Council recently so that information would be forwarded on. Officers added that they were looking for the Bulky Item Collection to be cost neutral.

RESOLVED – That the Chairperson writes on the Committee's behalf to the Cabinet Member to convey their comments and observations.

66 : ANY OTHER BUSINESS

None to be considered.

67 : DATE OF NEXT MEETING

Members were advised that the next Environment Scrutiny Committee is scheduled for 7 March 2017.

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ENVIRONMENTAL SCRUTINY COMMITTEE

7 MARCH 2017

Present: County Councillor Mitchell(Chairperson)
County Councillors Awan, Chris Davis, Gavin Hill-John and
Keith Jones

69 : APOLOGIES FOR ABSENCE

Apologies were received from Councillors Clark and Williams.

70 : DECLARATIONS OF INTEREST

No declarations of interest were received.

71 : MINUTES

The minutes of the meeting held on 8 February 2017 were approved by the Committee as a correct record.

72 : NEIGHBOURHOOD SERVICES ENFORCEMENT

Members received a report which provided the Committee with an opportunity to consider the enforcement activities undertaken by Neighbourhood Services since it was established in June 2016. Members were advised that on 16 June 2016 the Cabinet approved the Infrastructure Services Full business case to support the delivery of services through a modified in-house service delivery model. The services within the scope of the business case were listed in the report.

The in-house approach was divided into two new services areas; Neighbourhood Services and Commercial and Collaborative Services. Neighbourhood Services is responsible for delivering services such as Street Cleansing, Parks, Waste Education and Enforcement, Highway Operations, Highway Asset Management and Highway Design and Delivery.

Neighbourhood Services enforcement brings together the waste/environmental, licensing and traffic enforcement suite of powers granted to the authority. Members were asked to focus on those enforcement activities which relate to waste/environmental and highways licensing contraventions in particular.

Members were advised that the total 2016/17 budget within Neighbourhood Services for Cleansing and Enforcement is £4,758,339. From this total £4,024,950 is allocated towards cleansing and £733,389 is used to fund enforcement activities. Neighbourhood Services enforcement currently has 28 full-time equivalent (FTE) posts; this will increase by seven additional posts in 2017/18. During 2017/18 a one-off allocation of £150,000 was provided to Neighbourhood Services to support enforcement. The funding was designed to support the establishment of 7 FTE posts within the Enforcement Team to enable teams to work afternoons and weekends and deliver a high quality services to the residents of Cardiff.

The report provided details of the main elements of the enforcement process: Education Awareness; Enforcement and Prevention and Processing and Transactions. Members were advised that in order for the enforcement process to work efficiently all elements must complement each other. The majority of enforcement issues fall under the following headings:

- Waste Presentation – ensuring waste is presented correctly
- Local Environment Quality – dealing with all types of littering
- Fly Tipping – the illegal dumping of waste
- Highways Licensing Enforcement – enforcement of Highway Licences

There are two teams within Neighbourhood Services that are able to issue fines for environmental and highways licensing contraventions. The LEQ Team issue Fixed Penalty Notices (FPNs) for general litter, dog fouling and highway contraventions. The Waste Team issue Fixed Penalty Notices predominantly for the incorrect presentation of waste.

Members were advised that the authority is continually seeking to improve efficiency across its services. Neighbourhood Services is exploring how it can improve enforcement delivery by developing areas of partnership working; digitalisation; uniform and equipment; etc. The report provided Members of the Committee with further details on each of these measures.

In terms of outcomes, Members were advised that since the creation of Neighbourhood Services there had been an increased focus on enforcement activities. The service has managed to significantly increase the number of (FPNs) issued across a range of littering offences, details of which were set out in Table 1 of the report. The increase in FPNs has in turn created an increase in income. This income was also illustrated in Table 2 of the report, whilst Table 3 illustrated the total Education and Enforcement Activities annually from 2014/15 to 2016/17.

The Chairperson welcomed Councillor Bob Derbyshire, Cabinet Member for the Environment; Andrew Gregory, Corporate Director and Matt Wakelam, Operational Manager to the meeting. The officers were invited to deliver a brief presentation on Neighbourhood Services Enforcement.

Members were invited to comment, seek clarification or raise questions on the information received. Those discussions are summarised as follows:

- Members asked what the response time target was in terms of fly-tipping. Officers indicated that the response time was 5 working days and that 98% of fly tipping was removed within 5 days. The issue of fly-tipping was problematic nationwide and the service area was aiming to improve the number of prosecutions. Members were advised that the Welsh Government was said to be considering permitting authorities to issue FPNs for small scale fly tipping incidents. The service was also moving towards more covert operations and to improve education and enforcement. Officers considered that it was difficult to resolve the fly tipping problem through the courts.
- A Member noted that during a recent 'deep clean' operation in their ward an area of private land was not cleared. Members asked how such areas are dealt with. Officers stated that Street Cleansing Teams will not cleanse private land as they

would be trespassing and there are also insurance liabilities to consider. Where problems on private land are identified, Enforcement Officers will be asked to take action. The Member stated that the area of land in question was a flower bed on open ground. Officers acknowledged that members of the public think that the Council is responsible for all areas of land.

- Members sought clarification on the Council's policy on fly tipping in lanes. Members were advised that the authority is moving away from reactive cleansing in lanes and towards cyclical cleansing. Officers considered that in gated lanes where gates have been installed to prevent anti-social behaviour and fly tipping was taking place then it was difficult to believe that persons from outside the area were responsible. The authority would like to encourage residents to take ownership of the lanes and report any incidences of fly tipping. The Cabinet Member stated that many lanes were private land and responsibility for cleansing those areas lay with the residents.
- Officers were asked to provide details of the move towards further commercialisation of the service. Officers expressed the view that it was essential that the service has a better understanding of its performance, costs and likely levels of income before it enters into commercial agreements. Members were advised that it was unlikely Neighbourhood Services would ever be 100% self-funded but the service was moving in that direction. Furthermore, until aspects such as digitalisation are delivered the service would not be in a position to deliver services to stakeholders and partners.
- In terms of enforcement powers, Members were advised that responsibility for a number of enforcement powers was formerly held by the Planning Committee. However, an officer delegation was put in place. Processes were built up and put in place and the service area is now in a position to increase enforcement activity. The 2016/17 budget included an additional £150,000 funding which was used to recruit additional enforcement officers. The 'one-off' sum would be removed from future budgets and there was an expectation that these posts would be self-financed from increased income.
- Members raised concerns that the authority would be viewed as 'too aggressive' in its application of enforcement powers. The Cabinet Member stated that public opinion supports the issuing of penalties for offences such as littering. Officers advised the authority was not seeking to increase income by increasing enforcement; the authority aspired to improve the environment for everyone.

RESOLVED – That the Chairperson writes on the Committee's behalf to the Cabinet Member to convey their comments and observations.

73 : CITY OPERATIONS DIRECTORATE AND COMMERCIAL &
COLLABORATIVE SERVICES - QUARTER 3 PERFORMANCE REPORT
2016/17

The Committee received the City Operation and Commercial and Collaborative Services Performance reports for Quarter 3 2016/17. Members were asked to consider the reports and provide observations to support the Cabinet's consideration of the Quarter 3 Delivery and Performance Report 2016/17.

The City Operations and Economic Development Quarter 3 Performance Reports were appended to the report at Appendix 1 and Appendix 2. The reports examined a number of performance areas including: progress made against performance indicators; progress made against Corporate Priorities and Directorate Priorities; and Progress Made against Key Challenges and Key Achievements.

Appendix 3 to the report provided a range of Council-wide performance information which was intended to help the Committee benchmark against other service areas and against the Council as a whole. The document included information on customer contact; staffing costs; financial tracking information; sickness absence levels; and PPDR compliance.

A number of key observations from identified from each service area's performance report were set out in the report.

City Operations - Environment

The Committee received a brief presentation. Members were asked to comment, seek clarification or raise questions on the information received. Those discussions are summarised as follows:

- Members of the Committee requested details of the numbers of employees who have departed from the authority as a result of long-term sickness absence. Officers advised that whilst the issue of long-term sickness absence is being addressed, and the figures requested are available, they were not able to provide accurate details at the meeting. Accountability for sickness absence was being given to mid-level managers and team leaders.
- Officers confirmed that the authority has a resilient long-term plan in place to manage a heavy snow event.

City Operations – Strategic Planning, Highways and Traffic and Transportation

The Committee received a brief presentation. Members were asked to comment, seek clarification or raise questions on the information received. Those discussions are summarised as follows:

- Members requested details of the authority's representation on the Cardiff City Region Transport Authority (CCRTA) and when the authority would begin meeting on a regular basis. Members were advised that the authority's representative on the shadow authority is Councillor Patel. The shadow authority will formalise the governance structure. Councillor Patel stated that he will make Cardiff's case for a light-rail solution clear, including a link between Radyr and Coryton that would complete a 'circle line'. All authorities have a list of schemes but a light rail solution would offer much more flexibility.

Commercial and Collaboration

The Committee received a brief presentation. Members were asked to comment, seek clarification or raise questions on the information received. Those discussions are summarised as follows:

- The Committee commended officers on the service areas performance indicator results for the total amount of waste recycled, particularly when this figure is compared to the results achieved by the core city comparator authorities.
- Officers confirmed that the recycle/reuse figure did fluctuate throughout quarters 1, 2, 3 and 4. Peaks are anticipated at different times of the year such as in the spring. These peak are identified and additional resources are put in place to manage these.

RESOLVED – That the Chairperson writes on the Committee’s behalf to the Cabinet Member to convey their comments and observations.

74 : ENVIRONMENTAL SCRUTINY COMMITTEE - DRAFT ANNUAL REPORT 2016/17

The Principal Scrutiny Officer presented that Environmental Scrutiny Committee Annual Report 2016/17. The report outlined the Committee’s main activities undertaken during the year under the following headings: inquiries; Pre-decision Scrutiny; Performance Monitoring; Briefing Information; and Call-In Meeting. The report concluded by setting out topics scrutinised by the Committee during the year and those identified as suitable priorities for future scrutiny examination.

The Principal Scrutiny Officer invited comments on the report. Members accepted and endorsed the contents of the report.

AGREED – That the Environmental Scrutiny Committee Annual Report 2016/17 be approved and presented to Council.

75 : DRAFT ENVIRONMENTAL SCRUTINY COMMITTEE TASK & FINISH REPORT - MANAGEMENT OF SECTION 106 FUNDING FOR THE DEVELOPMENT OF COMMUNITY PROJECTS - TO FOLLOW

The Principal Scrutiny Officer presented the draft Task and Finish Enquiry Report on the Management of Section 106 Funding for the Development of Community Projects. The Committee received an overview of the enquiry’s key findings. Members also received a briefing on the process for evaluating community projects funded by Section 106 contributions.

AGREED – That, subject to amendment, the Task and Finish Enquiry Report on the Management of Section 106 Funding for the Development of Community Projects, be approved.

The meeting terminated at 7.45 pm

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JOINT SCRUTINY COMMITTEE

18 JULY 2017

Present: County Councillor Howells (Chairperson)
County Councillors Ebrahim, Gordon, Gavin Hill-John,
Philippa Hill-John, Howells, Owen Jones, Lancaster, Lay,
Parkhill, Patel, Robson, Sattar, Wong and Wood

1 : CHAIRPERSON

RESOLVED – That Councillor Nigel Howells be appointed as Chairperson for the meeting.

2 : APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mackie, Owen and Stubbs.

3 : DECLARATIONS OF INTEREST

The following declarations of interest were made in accordance with the Members Code of Conduct:

Councillor Patel	Item 4	Prejudicial Interest Former Cabinet Member with responsibility for planning and transportation issues
		Councillor Patel withdrew from the meeting.
Councillor Lay	Item 4	Personal Interest Non-Executive Director of Cardiff Bus Family member employed by Cardiff Bus
Councillor Robson	Item 4	Personal Interest Non-Executive Director of Cardiff Bus Party involved is a former family friend
Councillor Hill-John	Item 4	Personal Interest Non-Executive Director of Cardiff Bus

4 : DELIVERING THE BUS INTERCHANGE

Appendices 2, 3, 4, 5 and 7 to Appendix A of this report were exempt from publication because they contain information of the kind described in paragraphs 14 and 21 of parts 4 and 5 of Schedule 12A to the Local Government Act 1972.

The Committee received a report and Members were asked to consider pre-decision scrutiny of the Cabinet report entitled 'Funding the New Bus Transport Interchange'. Members were asked to note that Appendices 2, 3, 4, 5 and 7 to Appendix A of the

report were exempt from publication. Members were requested to confine any questions relating to these appendices to the closed session of the meeting.

Members were advised that the Cabinet are to consider a report and recommendations regarding the financing of the Central Square Transport Interchange on 27 July 2017. Members were asked to explore the financial assumptions in the report; any risks to the Council; the timeline for delivery of the transport interchange and the recommendations to the Cabinet. The transport interchange received planning permission on 1 March 2017 and, therefore, the design of the building and associated area has already been agreed and is not within the scope of the scrutiny at this time.

The Central Square Regeneration Scheme set out to deliver a new, high-quality, mixed-use urban gateway to the capital city and a modernised central transport hub. The scheme aims to deliver over 1 million sq ft of office-led mixed use development, with the potential to accommodate 10,000 jobs.

The Cabinet in September 2013 gave authority to officers, in partnership with Rightacres Property Co Ltd, as the adjacent landowner, to acquire a number of long leasehold interests at Central Square. Subsequently, in May 2014 permission was given to obtain a long leasehold interest in the Wood Street NCP Car Park, and this was followed by the demolition of the Council-owned Marland House building. Officers have worked in partnership with Rightacres Property Co Ltd and Legal and General Pension Fund to progress the scheme.

The planning permission granted for the Transport Interchange site permitted a mixed-use development covering 250,000 sq ft including a new bus interchange. The development was designed by Foster and Partners and included:

- 120,000 sq ft of Grade A office space
- 195 private rented sector retail units
- A bus interchange
- 10,000 sq ft of retail space

Negotiations for a funding proposal for the delivery of a new bus interchange were on the basis that the project would be delivered 'within the financial envelope of existing capital allocations', consisting of capital receipts obtained from the sale of land and/or long lease options, and Section 106 planning developer contributions.

The Cabinet recently set out their vision for Cardiff in the 'Capital Ambition' document, which reaffirmed the Cabinet's commitment to deliver a new transport interchange.

The draft Cabinet report entitled 'Funding the New Transport Interchange' was appended to the report as Appendix A. The Cabinet report set out the current position, the key funding challenges remaining and details of the developers funding proposal. In summary, Members were advised that the original Cabinet decision limited the potential of capital receipts that could be generated from what would otherwise be a prime development site and added costs to the construction of the overall development scheme.

The developer has submitted a proposal to the Council setting out a financial framework for delivering the Bus Interchange development based on a market driven

solution. The developer proposes to secure a student accommodation scheme at the Wood Street end of the development to replace the consented scheme for Private Residential Sector (PRS) units. The developer will continue to pursue an office scheme for the Saunders Road end of the development but will only commence development of the scheme once over 50% of the office area is let. In the event that office tenants are not secured within a reasonable timescale, the developer proposes to extend student accommodation across the whole of the building. Any change of use or changes to design will require a further planning application.

The Developer's Proposal also suggests that the Council completes the full land assembly by acquiring the remaining Saunders Road Car Park site from Network Rail. The developer would then pay a premium to the Council (which will include a share of the pre-development costs) to acquire a long leasehold interest in the whole site, with the Council retaining the freehold interest. The Council would then lease back the bus station element of the building for a peppercorn rent based on payment of an up-front premium equating to the cost of construction of the bus station element. The Developers Proposal establishes a financial envelope for delivery of the bus station which is broadly in line with the resources available to the Council and the capital programme allocation. Members were asked to note that the timing of delivery of a bus station facility remains dependent on securing appropriate tenants for the building.

The developer's proposal also confirms that there is no contribution required from the Council towards the provision of car parking spaces and that the developer will be able to deliver the anticipated contribution towards the broader Central Square public realm improvement scheme as well as the specific extension of the scheme around the Interchange building.

The costs provided for the construction of the bus station element at this stage are subject to independent review by an external cost consultant. The technical fit-out has been excluded from the proposal. Further work is required to confirm the exact extent of internal fit-out that is included in the developer's proposals. The Council has made a bid to Welsh Government for a contribution towards these costs and the costs of highways improvements. The Council's financial strategy is reliant on a contribution being realised from Welsh Government, as set out in Confidential Appendix 3.

The Chairperson welcomed Councillor Russell Goodway, Cabinet Member for Investment and Development and Neil Hanratty, Corporate Director, to the meeting. Councillor Goodway made a brief statement. He thanked the Committee for the invitation to attend. Members were advised that the new administration is committed to delivering a new bus station as part of the wider transportation interchange project – moreover, it is the top priority in terms of his portfolio.

The Committee received a presentation providing Members with the background to the consented scheme to date, the commercial elements of the scheme, funding proposals and challenges.

Following the presentation, the Chairperson invited Members to comment, seek clarification or raise questions on the information received. Those discussions are summarised as follows:

- The Committee asked whether the proposal to secure student accommodation as part of the development was demand driven. The Cabinet Member confirmed that the proposal was demand driven. The Cabinet Member also considered that if student accommodation had formed part of the proposals from the outset then it was likely a greater capital receipt would have been realised.
- Members were advised that the parking element of the scheme will provide private car parking spaces. These spaces will not be made available to members of the public. In order to demolish the NCP car park it was necessary to enter into an agreement with a leaseholder to provide private car parking spaces as part of the redevelopment of the site.
- Officers considered that the student accommodation market within the city was robust. Less than 30% of the student population live in purpose built student accommodation – compared to approximately 60% in Leeds, Liverpool and other core cities.
- Members asked whether any expressions of interest have been received regarding the office space provision. Officers stated that this remains a challenge; whilst the central location of the building is a positive, it may be more difficult to lease a building above a bus station and the developer will require agreements that secure the lease of at least 50% of the office space available.
- Members were advised that whilst the cost of the acquisition of the site was known, some costs were less obvious, such as the cost of building over a bus station. The Cabinet Member commented that if progress was to be made that expectations have to be managed. Allowing a market driven approach will speed up the delivery of a new bus station.
- Concerns were expressed that a number of student accommodation schemes have already been approved and these are currently under construction. A Member considered that the authority should recognise this risk. Furthermore, the Member felt that student accommodation is usually let by wealthy or overseas students and numbers of these are said to be declining. The Cabinet Member accepted the risk regarding student accommodation. However, there was a larger risk to delaying the decision on the development on this site.
- A Member asked whether consideration had been given to providing just a bus station on the site. The Cabinet Member asked how such a scheme could be funded if no capital receipts were provided from developers. The Cabinet Member stated that it was his aspiration and ambition to provide a state of the art facility and one of the best bus stations in the country.
- Members questioned whether the demand for student accommodation was greater than the demand for other types of development, such as a hotel. Officers stated that only 'budget' hotels would be prepared to sign up to a lease agreement as part of such a development.

The meeting went into closed session to discuss information contained in Appendices 2, 3, 4, 5 and 7 of Appendix A to the report which were exempt from publication because they contain information of the kind described in paragraph 16 of Part 4 of Schedule 12A to the Local Government Act 1972.

AGREED – That the Chairperson, on behalf of the Joint Committee, writes to Cabinet Member to convey the Joint Scrutiny Committee’s observations.

The meeting terminated at 6.00 pm

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**CYNGOR CAERDYDD
CARDIFF COUNCIL**

ENVIRONMENTAL SCRUTINY COMMITTEE

5 SEPTEMBER 2017

MANAGING STREET CLEANLINESS & TOTAL STREET SCENE IN CARDIFF

Reason for the Report

1. To provide Members with a briefing on how the Council deals with litter, street cleansing and total street scene in Cardiff. In particular this item will consider the various categories of litter; the resources available to tackle litter; the challenges of managing litter in Cardiff; litter management campaigns and recent Local Environmental Audit & Management System (LEAMS) results.

Background

2. The Council is faced with the task of managing litter in Cardiff. The majority of this responsibility is applied to public spaces; however, in some instances the Council has to take responsibility for cleaning private land. The main functions of litter management are carried out by the Street Cleansing Service and Waste Enforcement which are delivered by the Council's Neighbourhood Services team.
3. On the 6 July 2017 the Council published the 'Capital Ambition' document which set out 'Our Commitments for Cardiff'. Managing litter and street cleanliness formed a key part of the commitment made by the Cabinet Member for Clean Streets, Recycling & Environment. In particular he made four commitments, these were:
 - *We will develop a 'Total Street' approach to keeping streets and public spaces clean that join up Council services;*

- *We will continue the successful ‘Love Where You Live’ campaign to support residents and community groups in taking greater responsibility for the cleanliness of their local communities;*
- *We will apply a zero tolerance policy on fly-tipping and street littering;*
- *We will develop a systematic proactive approach to street and public space enforcement including: implementing Public Space Protection Orders to remove anti-social behaviours; improving education and enforcement relating to litter, dog fouling and fly-tipping.*

Street Cleansing Service

4. The main functions of the Street Cleansing Service is the cleansing of adopted highway areas across the city and removal of fly tipping. The service provides a number of statutory tasks including street cleansing, public bin emptying and removal of fly-tipping.
5. The service carries out street cleansing for approximately 1088 km of carriageway and 1900 km of footway and has the responsibility for emptying approximately 1,700 bins on a regular basis. In 2016/17 the service dealt with 7,958 fly tipping incidents (7,827 of these fly tipping incidents were cleared within five working days). It should be noted at this point that the number of fly tipping incidents reported increased by 1,744 (approximately 28%) between 2015/16 and 2016/17. Despite the large increase the service still managed to deal with 98.35% of fly tipping incidents within five working days – an improvement against 2015/16 where they dealt with 97.91% of reported fly tipping incidents within five working days.
6. The service employs 164 full time equivalent members of staff. During 2016/17 the actual total cost of running the service was £6,800,446; this resulted in a net cost to the Council of £6,058,546. During the period 2011/12 to 2016/17 the total cost of running the service fell from £7,289,297 in 2011/12 to £6,058,546 in 2016/17; this a reduction of £1,230,751 or approximately 16.9%.
7. The introduction of the blitz crews was during 2016/17. The costs for delivering the blitz work was met from the overall Neighbourhood Services budget for that year.

8. The net budget for 2017/18 is £6,213,670. The increase in net budget has come from non-recurring funding for new bins (£150k) and improvements to slip road and roundabout cleansing (£50k). The blitz team is now part of the base budget.

Waste Enforcement

9. The Waste Enforcement service is responsible for the provision of waste management related education and enforcement activities. The service is tasked with delivering:
- Statutory enforcement activities associated with fly tipping;
 - A wider range of non statutory tasks which include education in respect of waste presentation and recycling;
 - Assessment of assisted lift requests;
 - Enforcement of waste-related environmental crime (including incorrect waste presentation, littering, abandoned trollies and dog fouling).
10. In 2016/17 the service dealt with 19,847 cases (approximately 1,650 requests per month). The majority of the work relates to waste presentation and education. The service issued 2,075 fixed penalty notices in 2016/17 and removed abandoned trollies. **Appendix 1** shows the General Cases (visits, education and issue of notices) and the Fixed Penalty Notices for 2016/17.
11. The service employs 41 full time equivalent members of staff. Six officers are temporary for 12 months and two officers are funded by the University. During 2016/17 the total cost of running the service was £1,099,383; this resulted in a net cost to the Council of £332,336. The net cost is supported by £415,000 of grant monies from waste for education and £352,047 from fines. During the period 2011/12 to 2015/16 the income from fines has risen from £26,012 to £352,047.
12. The enforcement powers available to the recently formed Neighbourhood Services were last reviewed by the Environmental Scrutiny Committee on the 7 March 2017 when they received an item titled 'Neighbourhood Services Enforcement'; a copy of this document is attached to this report as **Appendix 2**.

13. At the 7 March 2017 meeting the Committee were provided with an overview of the service and updated on a number of new developments, these included:
- The total 2016/17 budget within Neighbourhood Services for Cleansing and Enforcement was £4,758,339. From this total £4,024,950 was allocated towards cleansing and £733,389 was used to fund enforcement activities. At that point in time Neighbourhood Services enforcement had 28 full-time equivalent (FTE) posts; it was anticipated that this would increase by seven additional posts in 2017/18.
 - During the 2017/18 budget setting process a Financial Resilience Mechanism allocated a one off payment of £150,000 to Neighbourhood Services to support enforcement. The funding is designed to support seven FTE posts within enforcement to enable city centre / city wide waste enforcement teams to work three afternoons and weekends to enable delivery of a high quality 'Total Street Scene' service to the residents of Cardiff'.
 - The Council is continually looking to find savings and improve efficiency across its range of services. Neighbourhood Services was exploring how it could improve enforcement delivery by developing areas including partnership working; digitalisation; uniform & equipment; support for highway licensing enforcement; and education & engagement.

Basic Enforcement Activities

14. The three main elements of the enforcement process within Neighbourhood Services are Education Awareness, Enforcement & Prevention and Processing & Transactions. For the overall enforcement process to work efficiently all of these parts have to effectively complement each other - a failure in any one part of the system will have a direct impact on the other parts.
15. The majority of waste and environment enforcement issues fall under four broad headings, these are:

- **Waste Presentation** – Ensuring that the public and businesses present waste correctly for collection, for example, placing waste out on the wrong day for collection or using the wrong bag or container.
- **Local Environment Quality** – This involves dealing with all general types of littering (for example, sweets, chewing gum, smoking related litter & fast food) and dog fouling. As explained at previous scrutiny meetings the Council applies a ‘zero tolerance’ approach in dealing with litter. By using the Environmental Protection Act 1990 and the Clean Neighbourhoods and Environment Act 2005 the Council can issue Fixed Penalty Notices (FPNs) to the value of £80 for littering.
- **Fly Tipping** - This is the illegal dumping of waste on to land; this type of activity can pollute the environment, can be harmful to human health and spoils many benefits associated with a clean environment. The courts are now able to impose an unlimited fine against those found guilty of a fly tipping offence.
- **Highways Licensing Enforcement** – This is the enforcement of Highway Licenses; such as, but not limited to, skips, tables and chairs, A-frames, hoardings, illegal adverts and scaffolding. It allows control (through £100 fixed 4 penalty notices) of the adopted highway under the Highways Act 1980 in terms of lawful and unlawful interference with highways and streets.

16. The Council recognises that everyone has a role to play in tackling the environmental issues of waste, litter and fly tipping. It has a vision to create a clean and respected street scene through efficient cleansing provision, citizen engagement, education and enforcement.

17. The two main teams within Neighbourhood Services that issue fines for waste / environmental and highways licensing contraventions are the LEQ Team and Waste Team, they issue fines for the following:

- **LEQ Team – FPNs:** Litter & Dog Fouling (these include dog fouling; litter from vehicles; general litter; smoking from vehicles; smoking related) and FPNs for Highways Contraventions (these include skips breach of licence; skips no

licence; A boards; street cafes; fly posting; free distribution of literature; scaffolding).

- **Waste Team – FPNs:** Waste – predominantly for incorrectly presented waste (these include Section 46 Notices for breaching the Environmental Protection Act 1990; Section 47 Notices for breaching the Environmental Protection Act 1990; Waste Transfer Note (WTN) Requests; WTN & WCR requests; commercial litter fines and domestic litter fines). The Waste Team also raises income by fining supermarkets for misplaced trollies and ‘pay as you throw’ domestic and commercial schemes.

Main Types of Litter

18. Previous presentations to scrutiny have identified the main types of litter which can be seen in Cardiff as:
 - Sweets and food litter (‘on the go litter’);
 - Dog fouling;
 - Chewing gum;
 - Smoking related litter;
 - Fast food;
 - Split bags, over filled bins;
 - Incorrectly presented bags;
 - Fly tipping.
19. The main sources of litter are frequently generated in or by high footfall areas; discarded from vehicles; takeaways & public houses; schools; areas of transient populations; parks; private land and events.
20. The general approach taken for “Improving Local Environmental Quality” is by using the three E’s, i.e. Education, Engineering and enforcement. Education and awareness is extensively used in Cardiff to reduce littering, for example, the Council has in the past used:
 - Targeted campaigns;
 - Preventative measures;

- Dog fouling bags;
- Get it out – Students;
- Waste presentation education & bin provision;
- Awareness raising;
- Schools – Really Rubbish;
- Literature was promoted in fifteen languages;
- Multi media channels were used, for example, twitter;
- Tidy Text – as system used to remind people when to put out their rubbish;
- Participation Monitoring (soon to be replaced by a new app);
- Compositional analysis, i.e. identify the type of litter generated and then raise specific awareness.

21. Beyond the educational and awareness approach the enforcement options available to the Council include:

- Fly tipping investigations and prosecutions;
- Action against those who incorrectly present domestic and commercial waste;
- Waste Controls – transfer notes and carrier licenses are required for the removal and disposal of waste;
- Proactive and reactive waste enforcement patrols;
- Littering – action is taken against people who litter from vehicles and against dog fouling;
- Accumulations on land – Council can take action against individuals who allow litter to get out of hand on their land;
- Frontages – action to ensure frontages are kept clear;
- Street Litter Control Notices;
- Shopping trolleys – the Council has created an “Abandoned Shopping Trolley Policy”.

22. The main litter challenges identified in Cardiff are:

- Raising awareness of litter issues across the city;
- Dealing with dog fouling problems;
- Flats – predominantly the presentation of litter for collection from flats;

- Litter in areas of transient populations, for example, student areas. Because of the transient nature of these areas new education initiatives constantly have to be repeated;
- Frontages – ensuring that people take responsibility for keeping frontages clear of litter and the difficulty in enforcing against this;
- Increasing active/eating on the go culture.

Litter Performance Measures & Indicators

23. The main performance indicators used by the Council to measure street cleanliness are:
- Use of Local Environmental Audit & Management System (LEAMS) surveys – these measure street cleanliness, not performance of cleansing teams;
 - Two established performance indicators - the Cleanliness Index and the percentage of Highways to a High or Acceptable Standard of Cleanliness.
24. **Appendix 3** of this report illustrates the results for the Cleanliness Index and percentage of Highways to a High or Acceptable Standard of Cleanliness in Cardiff for the period from July 2014 to July 2017.
25. The data for the 'Cleanliness Index' has a 70% target. For the period July 2014 to July 2017 the Council exceeded this target - with the exception of September 2014 – 66.67%, March 2015 – 69.33% and January 2017. Performance peaked in March 2016 when the index score reached 85.33%. Since May 2016 the index score has achieved a consistent score in the 70's with a dip in performance between November 2016 and January 2017. Since January 2017 there has been a steady improvement. This information is illustrated in **Appendix 3**.
26. The data for the 'Percentage of Highways to a High or Acceptable Standard of Cleanliness in Cardiff' has a 90% target. The annual results have been 86.79% in 14/15, 90.64% in 15/16 and 90.46% in 16/17.
27. For the period July 2014 to January 2016 the Council consistently fell beneath this target. Between February 2016 and October 2016 the Council consistently exceeded the 90% target, before a period of failing to meet the target between November 2016

and March 2017. Between March 2017 and May 2017 performance improved from 76.56% to 97.68%. This information is illustrated in **Appendix 3**.

28. The 'Local Government Data Unit Wales Report – 2015/16' features two key performance indicators which relate to litter and cleanliness. These were:
- **'Percentage of land of a high or acceptable of cleanliness'** - when compared against the other Welsh local authorities Cardiff came 21st out of 22 with a score of 90.64%. This is an improvement when compared to 2014/15 when Cardiff came 22nd out of 22 with a score of 86.8%.
 - **'Percentage of reported fly tipping incidents cleared within 5 working days'** - when compared against the other Welsh local authorities Cardiff came 4th out of 22 with a score of approximately 97.91%.

Love Where You Live Campaign

29. In September 2016 the Council launched a city-wide campaign titled 'Love Where You Live' to improve the standard of cleanliness in streets and neighbourhoods. In doing this it engaged the support of the citizens of Cardiff by asking them to get involved with this exercise.
30. The 'Love Where You Live' campaign focused on five key elements, these were:
- **Harnessing People Power** – This involved working with and thanking individuals and groups who already help to keep Cardiff clean and tidy;
 - **Neighbourhood Cleaning** - Neighbourhood Services teams undertook deep cleans of wards in the city. Council teams from different areas like parks and cleansing came together to deep clean eight inner-city wards on a weekly basis. This work was in addition to the normal cleaning operations;
 - **Zero Tolerance Approach to Littering** - Advertising was placed across the city to remind those that litter of the fines that they could potentially face if caught by enforcement officers;
 - **Raising Recycling Awareness** – This emphasised the importance of individuals doing their bit to help boost recycling and composting in the city. It drove home

the fact that Cardiff needs to recycle and compost 64% by 2020 and that this will increase to 70% by 2025;

- **Student Education** - Working closely with the universities and colleges, information and education on the zero tolerance approach has been used to help encourage students to take pride in the areas that they live.

31. The neighbourhood deep cleans or 'blitzes' initially focused on the inner city wards of Grangetown, Canton, Cathays, Riverside, Plasnewydd, Adamsdown and Splott. All of these wards were targeted for a one week period with each of the six identified wards being visited twice, i.e. they will overall receive a two week clean annually. The Outer wards have also received 'blitzes' but for shorter a duration. Ward based performance data illustrating the results of the 'blitzes' will be provided at the Committee meeting. This data will identify the volume of work undertaken by ward for tasks such as litter, drainage, enforcement, defects and volunteer events.

Future Proposals

32. At the meeting the Cabinet Member for Clean Streets, Recycling & Environment and officers from the City Operations Directorate will set out a range of new initiatives and service improvements that they are looking to deliver in 2017/18, these include:

- An emphasis on Total Street Scene;
- Introduction of ward based Total Action Plans;
- Digitalisation of Neighbourhood Services Enforcement;
- Enforcement of Highway Licenses and introduction of Public Space Protection Orders;
- Working with Vodafone to deliver camera enforcement relating to larger scale commercial / construction fly-tipping;
- Update on changes to small-scale fly-tipping;
- Commercial / Partnership;
- Volunteering and Citizen Engagement.

Way Forward

33. Councillor Michael Michael, Cabinet Member for Clean Streets, Recycling & Environment has been invited to attend for this item. He will be supported by officers from the City Operations Directorate.

Legal Implications

34. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

35. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATION

The Committee is recommended to:

- i. Note the contents of the attached reports;
- ii. Consider whether they wish to pass on any comments to the Cabinet following scrutiny of the item titled 'Managing Street Cleanliness & Total Street Scene in Cardiff'.

DAVINA FIORE
Director of Governance & Legal Services
30 August 2017

General Cases (visits, education and issue of notices) and the Fixed Penalty Notices for 2016/17

GENERAL CASES (1st April 2016 to 31st March 2017)	TOTAL CASES RECORDED
DOG FOULING	28
EDUCATION ACTION	2174
FLYPOSTING	82
FRONT/REAR GARDEN INVESTIGATION	672
HIGHWAYS - A BOARDS	146
LEQ FOOT PATROL	89
LITTER - COMMERCIAL DUTY OF CARE	93
LITTER - DOMESTIC DUTY OF CARE	2445
LITTER - GENERAL LITTER	24
LITTER - SMOKING FROM CAR	138
LITTER - SMOKING RELATED	260
LITTER FROM VEHICLE	26
MONITORING LOCATION	493
NEF(No Evidence Found) - COMMERCIAL	38
NEF (No Evidence Found) - DOMESTIC	5919
NEF (No Evidence Found) - FLYTIPPING	543
NO WASTE FOUND	1120
Prevention and damage by Pests Act 1949 NOTICE	26
SECTION 215 NOTICE	56
SECTION 46	4329
SECTION 47	159
SKIP NOTICES SECTION 137	1
SKIP NOTICES SECTION 139	426
SKIP REGISTRATION	33
WASTE TRANSFER NOTE REQUEST	527
TOTAL FOR YEAR	19,847

FIXED PENALTIES ISSUED (1st April 2016 to 31st March 2017)	TOTAL CASES RECORDED
DOG FOULING	28
LITTER FROM VEHICLE	26
LITTER - GENERAL LITTER	24
LITTER - SMOKING FROM CAR	138
LITTER - SMOKING RELATED	260
SKIPS BREACH OF LICENCE	6
SKIPS NO LICENCE	1
SECTION 46	864
SECTION 47	158
WASTE TRANSFER NOTE REQUEST	294
LITTER COMMERCIAL DUTY OF CARE	18
LITTER DOMESTIC DUTY OF CARE	258
TOTAL FOR YEAR	2,075

**CITY & COUNTY OF CARDIFF
DINAS A SIR CAERDYDD**

ENVIRONMENTAL SCRUTINY COMMITTEE

7 MARCH 2017

NEIGHBOURHOOD SERVICES ENFORCEMENT

Reason for the Report

1. To provide Members with the opportunity to consider the enforcement activities undertaken by Neighbourhood Services since it was established in June 2016.

Background

2. On 16 June 2016 the Cabinet approved the Infrastructure Services Full Business Case to support the delivery of the following services through a 'modified in-house' service delivery model:
 - Waste Collections (Commercial & Residential);
 - Street Cleansing;
 - Waste Treatment & Disposal;
 - Waste Education & Enforcement;
 - Pest Control;
 - Parks Management & Development;
 - Highways Operations;
 - Highways Asset Management;
 - Infrastructure Design & Construction Management;
 - Central Transport Services;
 - Hard Facilities Management;
 - Soft Facilities Management – Cleansing;
 - Soft Facilities Management - Security & Building Management;
 - Projects, Design & Development.

3. The modified in-house approach is split into two separate parts; Neighbourhood Services and Commercial & Collaborative Services. This item will focus on the work of Neighbourhood Services, which is now responsible for delivering Street Cleansing; Parks; Waste Education & Enforcement; Highways Operations; Highways Asset Management; Highways Engineering and Design & Delivery. Specifically the item will consider the enforcement activities delivered by Neighbourhood Services.
4. The range of services offered by Neighbourhood Services is joined together on an area basis. The anticipated benefits of this new approach include:
 - An improvement in service delivery through teams working closer together;
 - The adoption of an 'own-it' ethos to cleansing, enforcement and maintaining public real areas;
 - An improvement of operational efficiencies through the better deployment of front line resources;
 - An improvement in the utilisation of fleet and shared assets.
5. Neighbourhood Services enforcement specifically brings together the waste / environmental, licencing and traffic enforcement suite of powers granted to local government in the City of Cardiff. It is important to note that this item will focus on enforcement activities which relate to waste / environmental and highways licensing contraventions.
6. The total 2016/17 budget within Neighbourhood Services for Cleansing and Enforcement is £4,758,339. From this total £4,024,950 is allocated towards cleansing and £733,389 is used to fund enforcement activities. Neighbourhood Services enforcement currently has 28 full-time equivalent (FTE) posts; this will increase by seven additional posts in 2017/18.
7. During the 2017/18 budget setting process a Financial Resilience Mechanism allocated a one off payment of £150,000 to Neighbourhood Services to support enforcement. The funding is designed to support seven FTE posts within enforcement to enable city centre / city wide waste enforcement teams to work

afternoons and weekends to enable delivery of a high quality 'Total Street Scene' service to the residents of Cardiff'.

Basic Enforcement Activities

8. The three main elements of the enforcement process within Neighbourhood Services are Education Awareness, Enforcement & Prevention, and Processing & Transactions. For the overall enforcement process to work efficiently all of these parts have to effectively complement each other - a failure in any one part of the system will have a direct impact on the other parts.
9. The majority of waste and environment enforcement issues fall under four broad headings, these are:
 - **Waste Presentation** – Ensuring that the public and businesses present waste correctly for collection, for example, placing waste out on the wrong day for collection or using the wrong bag or container.
 - **Local Environment Quality** – This involves dealing with all general types of littering (for example, sweets, chewing gum, smoking related litter & fast food) and dog fouling. As explained at previous scrutiny meetings the Council applies a 'zero tolerance' approach in dealing with litter. By using the Environmental Protection Act 1990 and the Clean Neighbourhoods and Environment Act 2005 the Council can issue Fixed Penalty Notices (FPNs) to the value of £80 for littering.
 - **Fly Tipping** - This is the illegal dumping of waste on to land; this type of activity can pollute the environment, can be harmful to human health and spoils many benefits associated with a clean environment. The courts are now able to impose an unlimited fine against those found guilty of a fly tipping offence.
 - **Highways Licensing Enforcement** – This is the enforcement of Highway Licenses; such as, but not limited to, skips, tables and chairs, A-frames, hoardings, illegal adverts and scaffolding. It allows control (through £100 fixed

penalty notices) of the adopted highway under the Highways Act 1980 in terms of lawful and unlawful interference with highways and streets.

10. The Council recognises that everyone has a role to play in tackling the environmental issues of waste, litter and fly tipping. It has a vision to create a clean and respected street scene through efficient cleansing provision, citizen engagement, education and enforcement.
11. The two main teams within Neighbourhood Services that issue fines for waste / environmental and highways licensing contraventions are the LEQ Team and Waste Team, they issue fines for the following:
 - **LEQ Team** – FPNs: Litter & Dog Fouling (these include dog fouling; litter from vehicles; general litter; smoking from vehicles; smoking related) and FPNs for Highways Contraventions (these include skips breach of licence; skips no licence; A boards; street cafes; fly posting; free distribution of literature; scaffolding).
 - **Waste Team** – FPNs: Waste – predominantly for incorrectly presented waste (these include Section 46 Notices for breaching the Environmental Protection Act 1990; Section 47 Notices for breaching the Environmental Protection Act 1990; Waste Transfer Note (WTN) Requests; WTN & WCR requests; commercial litter fines and domestic litter fines). The Waste Team also raises income by fining supermarkets for misplaced trollies and ‘pay as you throw’ domestic and commercial schemes.

Improving Enforcement Delivery

12. The Council is continually looking to find savings and improve efficiency across its range of services. Neighbourhood Services is exploring how it can improve enforcement delivery by developing areas including partnership working; digitalisation; uniform & equipment; support for highway licensing enforcement; and education & engagement.

13. **Partnership Working** – Neighbourhood Services has recently established a number of working partnerships with organisations in Cardiff. These include:
- **Cardiff University** – Neighbourhood Services is supporting Cardiff University to work with students in the Cathays and Plasnewydd areas to improve the standard of waste presentation.
 - **Business Improvement District** – Neighbourhood Services has submitted a bid to Cardiff's newly established Business Improvement District asking for the scheme to support additional cleansing and enforcement resources in the city centre.
 - **Cardiff & Vale University Health Board** – Neighbourhood Services is working with Cardiff & Vale University health Board to provide a litter enforcement officer for the Heath Hospital site.
14. **Digitalisation** – In a drive to save money and increase efficiency the City Operations Directorate has launched a series of digitisation projects (these are particularly relevant in terms of enforcement on the highways and for dealing with street works permits and licences). Many of the enforcement services delivered by Neighbourhood Services currently use paper based applications – these are slow, inefficient and ultimately expensive to operate. The plan is to introduce new hand held technology to record / transfer contravention information that in turn would be stored on a suitable database. It is hoped that the new technology will speed up the process, deliver savings and improve customer service.
15. **Uniform & Equipment** – Officers in the LEQ Team and Waste Enforcement Team have recently received new uniforms. These raise the public profile of the officers, which in turn acts as a deterrent against littering. In addition to this, the staff now have access to body cameras which provide support in terms of health & safety and it is anticipated that they will have access to hand held technology for evidence gathering (for example a tablet or other hand held device).
16. **Supporting Highway Licensing Enforcement** – On 14 December 2016 the authority to enforce the Highway functions was effectively transferred to the City

Operations Directorate. This means that a Neighbourhood Services will for the first time enforce a range of functions from within Part IX of the Highways Act 1980. The functions include:

- Section 130 – protection of public rights;
- Sections 139 – control of builders’ skips;
- Section 140 – removal of builders’ skips;
- Section 140A(1) – builders’ skips: charges for occupation of the highway;
- Section 142 – licence to plant trees, shrubs etc in a highway;
- Section 147 – power to authorise erection of stiles etc on footpath or bridleway;
- Section 147ZA(1) – agreements relating to improvements for benefit of persons with mobility problems;
- Section 149 – removal of things so deposited on highways as to be a nuisance etc;
- Section 169 – control of scaffolding on highways;
- Section 171 – control of deposit of building materials and making of excavations in streets;
- Section 171A(2) and regulations made under that section – works under s169 or s171: charge for occupation of the highway;
- Section 172 – hoardings to be set up during building etc;
- Section 173 – hoardings to be securely erected;
- Section 178 – restriction on placing of rails, beams etc over highways;
- Section 179 – control of construction of cellars etc under street;
- Section 180 – control of openings into cellars etc under streets, and pavement lights and ventilators.

17. **Education & Engagement** – Since it was created in the summer of 2016 Neighbourhood Services has looked to increase education and engagement initiatives through its enforcement function. They have, for example, worked with Communications to publicise the ‘Love Where You Live’ campaign. This involved newspaper articles, using social media and publicising volunteer events. They have worked with local schools to raise litter awareness (for example, through the ‘Love

Where You Live' poster competition), promoting the work through the websites of the Council and its associated partners, and they have developed links with media outlets like Wales Online.

Outcomes Achieved

- 18. Since the creation of Neighbourhood Services in the summer of 2016 there has been an increased focus on enforcement activities. Despite having to allocate much of its enforcement resources for dealing with incorrectly presented waste issues the service has managed to significantly increase the number of FPNs issued across a broad range of littering offences; this is clearly illustrated in **Table 1**.
- 19. The 'zero tolerance' approach to littering and dog fouling has resulted in a 158% increase (425 additional FPNs) in the number of FPNs issued between 2014/15 and 2016/17. The largest increase has in this period has been for smoking related litter – this increased from 15 FPNs in 2014/15 to 249 FPN's in 2016/17. However, during the same period the number of FPNs for dog fouling actually fell – 27 in 2014/15 to 22 in 2016/17.

Table 1 – FPNs Issued for Littering Offences: 2014/15 to 2016/17

Enforcement Activity	FPNs issued 2014/15	FPNs issued 2015/16	FPNs issues 2016/17 (excluding March)
Dog Fouling	27	49	22
Litter commercial	19	14	14
Litter domestic	108	347	231
Litter from vehicle	3	18	26
Litter general	5	11	19
Litter smoking from car	92	89	133
Litter smoking related	15	31	249

- 20. The increase in FPNs issued has in turn created in a sharp increase in income for the period 2014/15 to 2016/17 as illustrated in **Table 2** below. It is noticeable that the income rose from £126,420 (based on 1,378 FPNs) in 2014/15 to £337,206

Appendix 2

(based on 3,172 FPNs) in 2016/17; this represents an increase of 167%. Other trends illustrated in **Table 2** shows that:

- The number of cases being referred to court has increased from one in 2014/15 to 155 in 2016/17.
- As the volume of FPNs issued increases so the percentage of fines actually collected reduces (2014/15 – 91.79%; 2015/16 – 80.90% & 2016/17 – 63.57%) – although it should be noted that the 2016/17 figure would be subject to change as there will be a lag between FPNs being issued and actual payment.
- The percentage of FPNs waived has steadily increased between 2014/15 and 2016/17 (2014/15 – 7.85%; 2015/16 – 10.85%; 2016/17 – 12.36%).
- As the volume of FPNs issued increases so the percentage of fines actually collected reduces (2014/15 – 91.79%; 2015/16 – 80.90% & 2016/17 – 63.57%).
- It is also worth noting at this point that the 2016/17 data is only for an eleven month period, i.e. the 2016/17 data does not include any information for March 2017.

Table 2 – FPNs Issued & Fine Income Collected: 2014/15 to 2016/17

Year	Total FPNs Issued	Total Income	Total FPNs Paid	Total FPNs Unpaid	Total FPNs Waived	Unpaid FPNs as with Legal	Total Cases to Court
2014/15	1,378	£126,420	£116,040	£300	£9,920	£80	1
2015/16	2,497	£224,890	£181,925	£14,105	£24,400	£4,460	39
2016/17	3,172	£337,206	£214,354	£54,852	£41,680	£26,960	155

21. For the financial year 2016/17 (year to date excluding March 2017) the LEQ Team has issued 449 FPNs / enforcement actions which has raised an income of £36,060. During the same period the Waste Team has issued 2,723 FPNs / enforcement actions which has raised an income of £301,146.

22. **Table 3** (below) sets out the total number of education and enforcement activities carried out by the Council's enforcement function for the period 2014/15 to 2016/17. It is clear to see that there has been a significant increase in the number of actions taken between 2014/15 and 2016/17. An increase of 5,922 in 2014/15 to 27,338 in 2016/17 suggests an increase of 362%.

Table 3 – Total Education & Enforcement Activities: 2014/15 to 2016/17

Total Education & Enforcement Activities	Actions
2014/15	5,922
2015/16	14,849
2016/17	27,338

23. A review of the underlying data for **Table 3** identifies a large increase in the following education activities:

- Additional Waste Collection Service - an increase from zero in 2014/15 to 238 activities in 2016/17.
- Education Action – an increase from 77 in 2014/15 to 2,050 in 2016/17.
- Distribution of education packs in Cathays - an increase from zero in 2014/15 to 3,723 in 2016/17.
- Flyposting - an increase from zero in 2014/15 to 82 in 2016/17.
- Front / Rear Garden Investigations - an increase from 194 in 2014/15 to 468 in 2016/17.
- Litter Domestic DOC - an increase from 573 in 2014/15 to 2,250 in 2016/17.
- Monitoring Location - an increase from zero in 2014/15 to 435 in 2016/17.
- NEF Domestic - an increase from 388 in 2014/15 to 5,195 in 2016/17.
- NEF Fly tipping - an increase from 93 in 2014/15 to 472 in 2016/17.
- Issuing Section 46 Notice - an increase from 36 in 2014/15 to 3,664 in 2016/17.
- Issuing Section 47 Notice - an increase from 18 in 2014/15 to 132 in 2016/17.
- Skip 139 Notice - an increase from zero in 2014/15 to 231 in 2016/17.
- Statutory Nuisance – Accumulations - an increase from 10 in 2014/15 to 127 in 2016/17.

Way Forward

24. Councillor Bob Derbyshire (Cabinet Member for the Environment) has been invited to attend for this item. He will be supported by officers from the City Operations Directorate.

Legal Implications

25. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

26. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATIONS

The Committee is recommended to:

- i. Note the contents of the attached reports;
- ii. Consider whether Members wish to pass on any comments to the Cabinet following scrutiny of the item titled 'Neighbourhood Services Enforcement'.

DAVINA FIORE

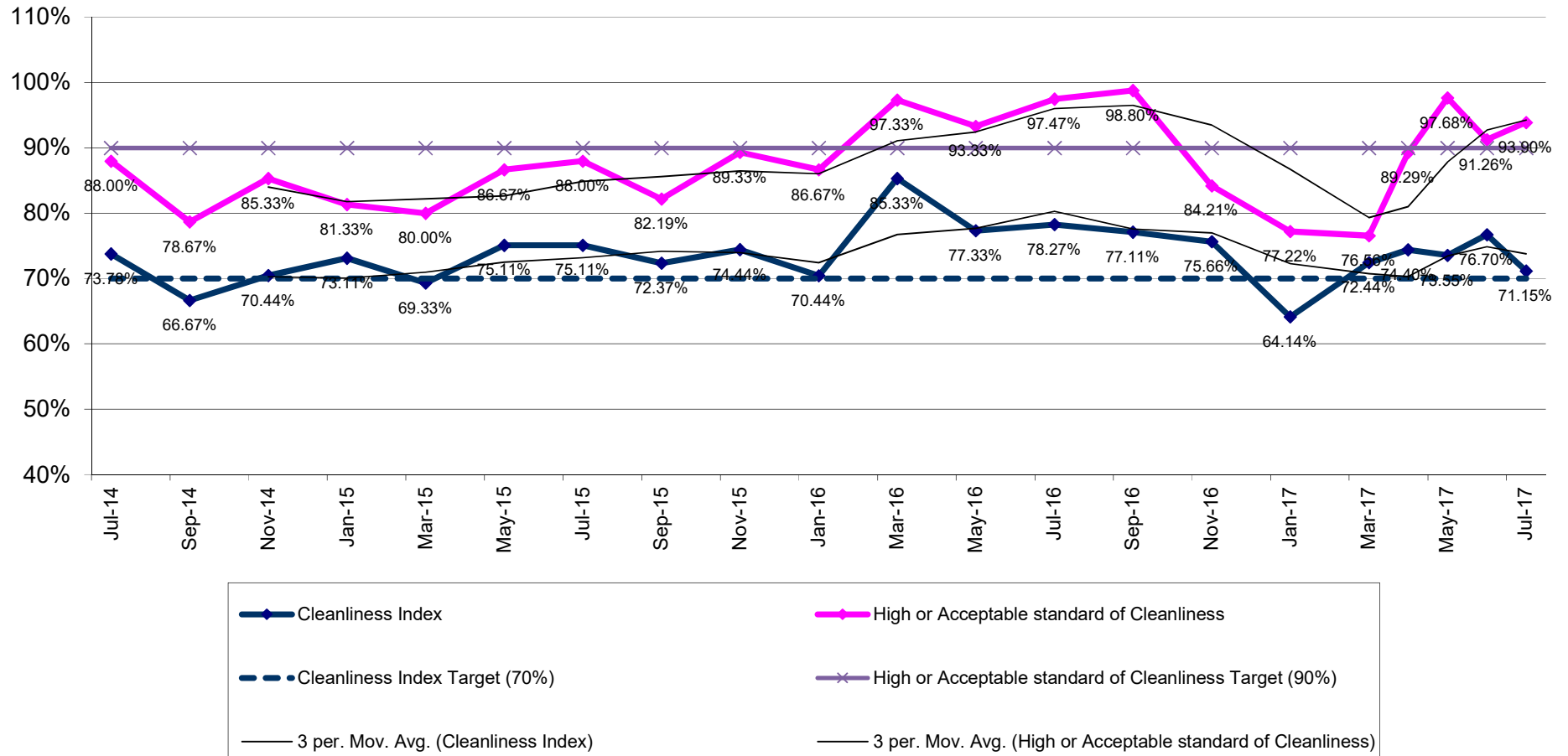
Director of Governance & Legal Services

1 March 2017

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2014-17 LEAMS CLEANLINESS TRENDS Random Sample County Wide

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**CYNGOR CAERDYDD
CARDIFF COUNCIL**

ENVIRONMENTAL SCRUTINY COMMITTEE

5 SEPTEMBER 2017

MANAGING RECYCLING IN CARDIFF

Reason for the Report

1. To provide Members with a briefing on the approach taken by the Council to recycle and process the waste material it collects in Cardiff. In doing so the item will highlight the statutory targets, available infrastructure, resources, challenges and responsibilities placed upon the Council.

Background

2. The Council is bound by a growing umbrella of recycling, waste treatment and disposal legislation to drive forward waste minimisation, increase recycling and to meet statutory obligations under:
 - Waste (England and Wales) (Amendment) regulations 2012;
 - The Landfill Allowances Scheme (Wales) Regulations 2004 for the disposal of biodegradable waste;
 - Waste (Wales) Measure 2010;
 - Recycling, Preparation for Re-use and Composting Targets (Definitions) (Wales) Order 2011 and Regulations 4 and 5 of The Recycling, Preparation for Re-use and Composting Targets (Monitoring and Penalties) (Wales) Regulations 2011 for recycling performance targets.

Waste Management Strategy 2011

3. Cardiff's Waste Management Strategy 2011 helped to drive overall recycling, reuse and composting rates rising from 39% in 2009/10 to 52% in 2012/13. However, the 2013/14 period saw the city falling marginally short of its 50% target by achieving

49.67%; this in part was attributed to delays in processing contracts and required operational services.

- 4. This meant that in the following years the Council had to take preventative measures to ensure future recycling targets were secured and cost efficiencies maximised. In addition the Council had to test its compliance with the duties to collect recyclable materials separately and to obtain high quality recycling.
- 5. The Welsh Government has imposed statutory targets for the recycling and diversion of waste from landfill and failure to achieve these carries a £200 per tonne penalty. The statutory targets for Wales and Cardiff are:

Target on waste collected by Local Authorities	2014/15	2015/16	2019/20	2024/25
Minimum overall recycling	52%	58%	64%	70%
Maximum level of landfill	-	-	10%	5%
Maximum level of energy from waste	-	42%	36%	30%
Biodegradable Landfill Allowance	43729t	41692t	33557t	-

Waste Management Strategy 2015

- 6. Achieving a good recycling outcome for Cardiff is very important and so the Waste Management Strategy 2015 is particularly mindful of the need to:
 - Meet the recycling targets for 17/18 and up to 70% by 2024/25;
 - Outline the future position on the recycling collections methodology;
 - Seek cost reductions and delivering the most cost effective recycling approach for Cardiff;
 - Secure high quality recycling;
 - Reduce Cardiff’s Carbon footprint;
 - Secure long term regional working and partnerships for recycling;

- Deliver all of the above whilst underpinning them with waste minimisation, education and enforcement activities.

10. The Waste Management Strategy is reviewed every three years to ensure it reflects the current challenges, legislation and recycling position. In doing this, the strategies summarise seven core objectives that underline all decisions and service changes, these are:

Headline Policy	Aim
Waste Minimisation	To inhibit the growth of MSW per capita by promoting waste minimisation initiatives with a long term aim of reducing growth to zero.
Underpinning Awareness and Education	To raise awareness with the public and the Council of the need to enhance re-use, high quality recycling and composting throughout the city through comprehensive stakeholder engagement.
Maximise high quality Reuse, Recycling and Recovery	To ensure compliance with all legislation and guidance produced, with the ultimate aim of achieving 70% re-use/recycling/compositing rate by 2024/25.
Minimising Waste to Disposal	To minimise the amount of MSW sent for disposal, by not exceeding the maximum amount of waste to landfill/energy from waste facility targets set by Welsh Government.
Partnering	To work with local partner organisations, where practicable, to deliver local, regional and national benefits.
Cost Efficient Service	To provide a value for money waste management service which is cost effective and efficient.
Sustainable Management	To offer waste management services that offer substantially improved sustainability and much reduced carbon emissions.

11. To deliver the aims of the strategy and provide step changes to our recycling performance the Waste Management Strategy 2015 is broken down into a series of implementation phases. Each of the phases have been subject to a detailed business plan and budget approval and form the building blocks of progressive change. The five phases are set out below:
- **Phase 1:** Residual waste restriction programme – Summer 2015 - this provided an additional 5,000 tonnes of recycling and £622k of savings by:
 - Moving to a smaller capacity for residual waste across the City through smaller wheeled bins (140L) or the equivalent volume of bespoke bags;
 - Expanding the number of properties using wheeled bins;
 - Increasing controls on issuing green bag and food liners to reduce wastage (and only providing them to Cardiff residents for use for recycling).
 - **Phase 2:** HWRCs, new markets and reuse options, 2015/16, to deliver an additional 5000 tonnes of recyclate;
 - Implement the two HWRCs sites; with stronger controls for cross boundary visitors; van users and reallocated resource to provide assistance the public to recycle more;
 - Increased reuse potential at the HWRCs and across the service;
 - Secure new recycling markets such as carpets; mattresses & hygiene waste to recycling.
 - **Phase 3:** Recycling collections change requirements 2016/17 onwards:
 - Deliver the outcome of a detailed business case and assessment for dry recycling for potentially kerbside sort; or twin stream and reusable recycling containers to ensure the Council are legally compliant with the new legislation and WG guidance;
 - Specific changes to flats and larger multiple occupancy houses;
 - This work will be supported by Local Partnerships and funded by Welsh Government.

- **Phase 4:** Recycling infrastructure 2016/17 onwards:
 - Commence delivery programme of regional facilities to sort recycling, subject to a feasibility assessment and outline business plan;
 - Material Reclamation Facility changes and or inclusion into the regional infrastructure may be required.
- **Phase 5:** Additional recycling performance; commercial, cleansing 2017/18 onwards:
 - Increasing household performance and continued education;
 - Looking at the smaller waste streams for recycling potential such as the remaining cleansing waste.

12. The majority of the initiatives identified to take the council to 58% have been delivered; however, constant thought is needed to ensure that the Council achieves future targets (for example, the target for 2019/20 is 64%). This in effect means that after taking into consideration waste and population growth we have to recycle approximately 32,000 tonnes of additional waste in Cardiff each year.
13. The financial risk of failing targets can be massive. For example, failing by 4000 tonnes could equate to a fiscal penalty of over £800,000. The “do nothing option” has not been an option for Cardiff; if no further changes are made to the delivery of Council recycling services then the fines between now and 2020 could equate to over £21m.

Kerbside Sort v Comingling

14. In addition to statutory targets, there has been a change to the fundamental EU legislation that relates to recycling and waste collections. This is set out in the revised Waste Framework Directive 2012 and subsequently the Waste (England and Wales) (Amendment) Regulations 2012. These regulations outlined a need for separate collections of waste paper, metal, plastic or glass by January 2015 or a robust evidence based defence to demonstrate that the collection methods used could achieve high quality recycling, whilst also being the best technical, environmental and economically practicable solution (TEEP).

15. The Welsh Government supports the new legislation and has also set out its preferred approaches in the “collections blue print”. Failure to adhere to this blueprint could result in loss of grant funding worth currently just over £7m per annum.
16. Absolute change was not required by 1st January 2015, however, the Council had to develop a business case for any proposed changes or create a TEEP evidence base. The business case used had to be benchmarked against a kerbside sort box solution as the EU and Welsh Government determined this method to be to the optimum solution for low cost, sustainable and high quality recycling services.
17. As a comingled authority, the Council developed a robust evidence base around its decision process and present data modelling on the Councils chosen collection method. The main areas that the Council had to consider in this evidence base were:
- **High Quality Recycling** - How the councils current end markets compared with that of kerbside recycling systems, for example, do they supply the same closed loop markets. There is a potential legal argument that as long as the material is recycled then this meets the definition of high quality recycling. Welsh Government had taken this meaning to be closed loop only as kerbside sort is perceived to provide higher quality outputs;
 - **Technically Practicable** – Is there any reason why kerbside sort cannot be undertaken. This can be taken down to a very small localised area, for example, flats;
 - **Environmentally Practicable** – Is it more damaging to the environment to undertake kerbside sort than the current method, for example, an increased carbon footprint;
 - **Economically Practicable** - The service costs from collections through to reprocessing should be compared against the default kerbside collection and reprocessing systems.
18. The Council also had to consider:
- **Human Health** - This could be the impacts of increased traffic congestion from slower kerbside collections and/or having to transport product to further distances to ensure they are processed through a closed loop processors;

- **Social Impacts** – This could cover a wide number of impacts and include the number of people employed in the street scene and quality impact on residents.

Current Collection Schedule

19. Since July 2015 Cardiff's waste collection has been scheduled in the following way:
- Dry recycling is collected on a weekly basis;
 - Food waste is collected on a weekly basis via the kerbside caddies;
 - Garden waste collections are fortnightly in the summer and monthly over the winter period;
 - General waste collections will remain fortnightly, but with a limited capacity per household of 140l (bin or bag space).
20. In order to ensure that Cardiff's waste collection and recycling services remain efficient as the city grows, the collection days and week of collection are reviewed on a regular basis. The number of vehicles and operatives have been carefully balanced to maximise efficiencies.

Waste Collection Changes – July 2015

21. The July 2015 review of waste collections maintained much of the approach taken in the pre July 2015 period, however, the following changes were made:
- **Wheeled Bin Expansion Programme** - Wheeled bin expansion programme was expanded with more suitable households across the city receiving wheeled bins for residual waste. A new 140 litre black wheeled bin was provided to just over 12,000 households, in addition just over 4,000 of these properties were provided with 240 litre green garden wheeled bins.
 - **240 Litre Black Bins Replaced by 140 Litre Black Bins** - All households that had a 240 litre black wheeled bin were given a replacement 140 litre bin.
 - **Limiting Municipal Waste Bag Collections** - Properties remaining on a bag collection were provided with a limited number of bespoke bags equivalent to three black bags per fortnight.

- **No Changes for Flats with Communal Bins** - Flats with communal bin collections remained on their current provision. Work was planned on a block by block basis to make recycling improvements and review residual waste capacity.
- **No Collection of Waste Presented in Black Bags** - Waste presented in black bags was no longer collected and was subject to an £80 fine. Municipal waste now has to be presented in the bespoke red and white bags.
- **Provision of Reusable Garden Bags to those Green Garden Wheeled Bins** - Households not provided with a green garden wheeled bins were provided with reusable garden sacks to present their green waste in. The first garden sack was provided for free with subsequent sacks available for purchase at a small fee.
- **Charge for Extra Green Garden Wheeled Bins** - A charge was applied to households requiring an extra green garden wheeled bin. In addition to this charges were introduced for any replacement, lost or stolen black or green wheeled bins.

Household Waste Recycling Centres

22. House Household Waste Recycling Centres provide facilities for the disposal of a range of recyclable materials and waste. These facilities are available to all residents for general household and garden waste. At this point in time Household Waste Recycling Centres recycle just over 60 % of the materials that they receive.
23. The Council operate to large purpose built sites at the new Lamby Way facility and Bessemer Close site. In addition, the Wedal road site remains open until a reuse provision is in place.
24. Some of the operational efficiencies that were identified and approved following the benchmarking and a best practise review in 2014/15 were implemented in 2015, they included:
 - New seasonal opening hours at the Household Waste Recycling Centres with a twelve hour opening in the busier summer months reducing to 9 hour opening in the quieter winter months;

- Facilities to be provided for Cardiff only residents, so proof of address is now required;
- Changes in staffing levels to provide more residential support for recycling.

Recycling Infrastructure

25. The Council currently processes and recycles much of its collected waste through the following pieces of infrastructure:

- **Materials Reclamation Facility (MRF)** - Cardiff's Material Reclamation Facility receives and processes mixed dry recyclable materials from its household and commercial waste collections.
- **Cardiff Energy Recovery Facility (ERF)** – this is the largest energy recovery facility in Wales treating waste from local authority and local business contracts. The facility, which has been operational since 2014, handles 350,000 tonnes of residual waste (non-recyclable), per year. It diverts at least 95% of South Wales' residual waste away from landfill and generates 30MW of electricity for the national grid. That is enough to power around 50,000 households.
- **Kelda Organic Energy (Cardiff)** – the facility delivers an anaerobic digestion (AD) facility and an open windrow composting for Cardiff and Vale of Glamorgan Council's. The facility is capable of processing 35,000 tonnes of discarded food waste each year, which will include all of the food waste collected by Cardiff and the Vale of Glamorgan Councils plus other commercial waste arising's from local businesses.
- **Household Waste Recycling Centres** – as stated previously in this report, these provide facilities for the disposal of a range of recyclable materials and waste. These facilities are available to all residents for general household and garden waste. Cardiff currently has three Household Waste Recycling Centres.

Regional Working

26. The benefits to Cardiff through regional working and joint procurements have been well evidenced with the success of projects such as the Project Gwyrdd; the Cardiff & Vale organics procurement and regional procurement contracts (such as electrical items; wood; textiles and sweepings). By combining together, we share the resource costs and secure better gates fees through economies of scale. Equally Welsh Government is keen to see more regional working to secure longer term cost savings.
27. Regional approaches have been tried and tested for residual waste, food and green waste facilities across Wales, yet there remains a gap in the market for recyclable materials. All local authorities (to varying degrees) recycle the following types of materials that are collected from the kerbside:
 - Paper;
 - Card;
 - Plastics;
 - Glass;
 - Metals.
28. Council's also provide additional household collections to deal with larger items such as furniture, wood, rubble, oils, batteries, textiles, and other bulkier items.
29. All local authorities' process to varying degrees: paper; card; plastics; glass; metals, from the kerbside but also larger materials such as furniture; wood; rubble; oils; batteries; textiles and other bulkier items from household waste collections.
30. Regardless of the collection method for dry recycling it is clear that the best market prices and quality can be obtained by further sorting materials ready for market, for example, glass into different colours; plastics into different types; metals into steel and aluminium and also depending on market condition paper into different grades. There are a range of local facilities across Wales, including our own Materials Recycling Facility, but no large scale facilities exist in Wales.

31. It is proposed that through partnership with Welsh Government and neighbouring authorities, Cardiff will explore the feasibility of a regional recycling facility. The programme will initially seek expressions of interest from surrounding and regional local authorities; test the market appetite for such a facility and most importantly what materials do the end processes seek in order to scope the facility requirements. The initial scope of materials under consideration will remain wide in order to maximise the potential of any such venture. The main objectives of the facility will initially be:

- To secure future recycling capacity for the region;
- To deliver high quality materials to the market place;
- To provide a flexible processing facility for all dry recycling materials;
- To provide economies of scale to deliver cost effective processing and maximise income potential for the region.

Street Cleansing

32. Street Cleansing is seen as a difficult area in which to make recycling improvements, however, it is felt that the currently low recycling rate can be improved and that a 60% recycling rate is achievable. The recycling of sweepings is currently take place and contribute towards achieving our overall target. Other initiatives need to consider how to increase recycling from litter bins and generate more recycling of bulky and fly tipped materials.

Commercial Waste

33. The core infrastructure is in place for commercial recycling with the Commercial Waste Service (currently recycling 40%) and the trade facility at Bessemer Close. A balance needs to be achieved between income and recycling performance in order to achieve the required recycling levels. Any commercial waste we collect contributes towards the overall total waste collected for purposes of calculating our statutory recycling target, i.e. currently 58%.

Recycling Results

34. The main recycling performance indicator is PAM/030 (Formerly WMT/009 (b)). This is defined as *'the percentage of municipal waste collected by local authorities and prepared for reuse and/or recycled, including source segregated biowastes that are composted or treated biologically in another way'*. This indicator essentially measures the Council's performance against the Welsh Government recycling target, which as previously explained is 58% for 2017/18.
35. The table below sets out the Council's recycling performance for PAM/030 for the years 2012/13 to 2015/16. The column titled 'Recycled Waste (tonnes)' measures 'the tonnage of local authority municipal waste prepared for reuse, recycled and/or collected as source segregated biowastes and composted or treated biologically in another way by the local authority', while the column titled 'Total Waste Collected (tonnes)' measures 'the tonnage of municipal waste collected by the local authority'.

Year	Recycled Waste (tonnes)	Total Waste Collected (tonnes)	PAM/030 Result
2012/13	90949.96	174,102.65	52.24%
2013/14	85,577.84	172,286.97	49.67%
2014/15	91,126.88	170,712.00	53.38%
2015/16	103,234.97	177,456.36	58.17%

36. The table above illustrates that Cardiff has managed to meet the challenging PAM/030 target for three of the four years – only falling marginally under this target in 2013/14. As a local authority area Cardiff collects and recycles more waste than any other Welsh local authority.

Way Forward

37. Councillor Michael Michael, Cabinet Member for Clean Streets, Recycling & Environment has been invited to attend for this item. He will be supported by officers from Commercial & Collaboration Services.

Legal Implications

38. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

39. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATION

The Committee is recommended to:

- i. Note the contents of the attached reports;
- ii. Consider whether they wish to pass on any comments to the Cabinet following scrutiny of the item titled 'Managing Recycling in Cardiff'.

DAVINA FIORE

Director of Governance & Legal Services

30 August 2017

**CYNGOR CAERDYDD
CARDIFF COUNCIL**

ENVIRONMENTAL SCRUTINY COMMITTEE

5 SEPTEMBER 2017

**ENVIRONMENTAL SCRUTINY COMMITTEE – DRAFT WORK PROGRAMME
2017/18**

Background

1. The Constitution states that each Scrutiny Committee will set their own work programme. This is undertaken at the beginning of a municipal year and updated as the work progresses. The work programme needs to be carefully constructed so that the time available to the Committee is used most effectively.
2. The Environmental Scrutiny Committee's Terms of Reference provide the Committee with the responsibility for the scrutiny of a number of specific service areas. A copy of the terms of reference has been attached to this document as **Appendix 1**. This will remind Members of the scope of ideas that could be considered.
3. The Committee is responsible for the scrutiny of a number of policies and strategies that affect the sustainability and environment of Cardiff. It can also undertake investigations into any of these areas.
4. The construction of a work programme involves obtaining information from a range of sources, these include:
 - Information from the relevant Directorate;
 - Relevant extracts from the current Corporate Plan;
 - Suggestions and ideas put forward by the previous Environmental Scrutiny Committee;
 - Member suggestions and observations;

- Citizen and third party comments and observations;
 - Performance Information.
5. The topics gathered from the sources identified above were recorded in a document titled 'Environmental Scrutiny Committee Work Programme – Potential Work Programme Items 2017/18'. This document was considered at the meeting on the 18th July 2017 where Members had the opportunity to discuss the items listed in the document and submit any new ideas into the work programming process.
 6. After the meeting Members had the opportunity to submit a final list of preferred scrutiny items to the Principal Scrutiny Officer who then with the Chair of the Committee analysed the requests and placed them into a draft work programme structure; a copy of the 'Environmental Scrutiny Committee – Draft Work Programme 2017/18' has been attached to this report as **Appendix 2**.
 7. It is important to note at this point that the 'Environmental Scrutiny Committee – Draft Work Programme 2017/18' only nominates items for September, October and November 2017 – this is a contrast to work programmes published in previous years which set out a schedule of work for a 12 month period. In an effort to create a more relevant and reactive work programme the Chair of the Committee would like to publish a three month rolling programme and updating this document on a monthly basis using an 'Environmental Scrutiny Committee – Work Programme Review'
 8. In setting their work programme, Members have been mindful of Wales Audit Office advice for scrutiny committees to aim to achieve committee meetings that last no longer than three hours, whilst maintaining robust and appropriate levels of scrutiny across the terms of reference, by ensuring agendas are of a manageable size and that work occurs outside committee meetings. Members agreed in principle with this approach and agreed to aim to achieve this, with the option to adjourn a committee meeting if more time is required than originally anticipated.
 9. In addition to considering items for the 'Environmental Scrutiny Committee – Draft Work Programme 2017/18' Members were also asked to suggest items for task & finish exercises during the 2017/18 municipal year. The two most popular suggestions submitted were litter, bins & cleaner streets and air quality. On this

basis the Chair is recommending to the Committee that task & finish exercises are undertaken on both of these topics.

10. In terms of timing the Chair is suggesting that the first task & finish exercise considers the topic of air quality; it is anticipated that this piece of work would take somewhere between three or four months. To provide Members with an idea of the structure of such a piece of work a draft terms of reference for a task & finish exercise title 'Improving Cardiff's Air Quality' has been attached to this report as **Appendix 3**. It is anticipated that a task & finish exercise involving litter, bins and cleaner streets would begin in December 2017 or January 2018.

Way Forward

11. Members should consider the 'Environmental Scrutiny Committee – Draft Work Programme 2017/18' (Appendix 2) and decide if they are happy to formally adopt it as the Environmental Scrutiny Committee Work Programme for 2017/18. In addition to this they should agree a way forward in terms of delivering task & finish exercises for the 2017/18 municipal year.

Legal Implications

12. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

13. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATION

The Committee is recommended to:

- i. Consider the contents of this report; and
- ii. Agree a way forward for the work programme and future task & finish exercises.

DAVINA FIORE

Director of Governance & Legal Services

30 August 2017

Environmental Scrutiny Committee – Terms of Reference

The role of this Committee is to scrutinise, measure and actively promote improvement in the Council's performance in the provision of services and compliance with Council policies, aims and objectives in the area of environmental sustainability including:

- Strategic Planning Policy
- Sustainability Policy
- Environmental Health Policy
- Public Protection Policy
- Licensing Policy
- Waste Management
- Strategic Waste Projects
- Street Cleansing
- Cycling and Walking
- Streetscape
- Strategic Transportation Partnership
- Transport Policy and Development
- Intelligent Transport Solutions
- Public Transport
- Parking Management

To assess the impact of partnerships with and resources and services provided by external organisations including the Welsh Government, joint local government services, Welsh Government Sponsored Public Bodies and quasi-departmental nongovernmental bodies on the effectiveness of Council service delivery.

To report to an appropriate Cabinet or Council meeting on its findings and to make recommendations on measures which may enhance Council performance and service delivery in this area.

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	Tuesday 18th July 2017	August	Tuesday 5th September 2017	Tuesday 3rd October 2017	Tuesday 7th November 2017
Corporate items					Monitoring Quarterly Performance 2017/18
Information reports	Joint Scrutiny - Economy and Culture & Environmental - 'Delivering the Bus Interchange'		Managing Street Cleanliness & Total Street Scene in Cardiff	Cardiff's Taxi Services	Tree Management
			Recycling in Cardiff	Managing Food Hygiene in Cardiff	Greener Grangetown - Member Update
			Environmental Scrutiny Committee - Draft Work Programme 2017/18	Member Briefing Paper - First Cardiff local Development Plan Annual Monitoring Report	Environmental Scrutiny Committee - Work Programme Review
				Environmental Scrutiny Committee - Work Programme Review	
Cabinet responses					

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Draft Terms of Reference – Improving Cardiff’s Air Quality

The aim of the inquiry is to provide Members with the opportunity to explore and consider how the Council can help to improve air quality in Cardiff. This will include reviewing:

- **Current Air Quality Position** - to include a report and analysis of the worst affected areas; the major contributing factors to air pollution in Cardiff; resources, monitoring arrangements & statutory responsibilities; the impact on public health; consider any existing air quality action plans for Cardiff; to consider air quality responsibilities placed on the Council.
- **Development of Cardiff’s Clean Air Strategy** – to include a report on the aims and objectives of the strategy; associated policies that support the development of the strategy; resources and timescale for delivering the strategy; desired impact of the strategy and the main areas that the strategy will target.
- **Welsh Government Position on Air Quality** – to gain a better understanding of the policy objectives of the Welsh Government in terms of air quality; to understand the applicable timescales and consequences of the Council not meeting these policy objectives; to identify the key areas that Welsh Government believes should be targeted to achieve the best outcomes for air quality.
- **Transportation** – to understand the positive and negative impacts that transport (and transport systems) can have on air quality in Cardiff; to establish a hierarchy of transport pollution sources and evaluate what can be done to better manage the worst polluting sources; to review transport schemes and infrastructure planned for development or in the process of being delivered in Cardiff; to explore the benefits of sustainable fleet management in Cardiff; to consider the impact that changes in technology and public perception can have on air quality.
- **Other Pollution Sources** – to consider a range of pollution sources (excluding transport) and the impact that these have upon air quality in Cardiff; to establish a hierarchy of pollution sources (excluding transport) and evaluate what can be done to better manage the worst polluting sources; to review proposals currently being developed or delivered (excluding transport) to reduce pollution in Cardiff.

- **Planning & Development** – to understand how the planning and development process can be used to improve air pollution in Cardiff; to consider the current planning processes / policies and how these impact upon air pollution; the impact that the growth of the city might have upon air quality.
- **Sustainable Fuels** – to understand the challenges and opportunities that the growth of sustainable fuels can have upon air quality in Cardiff; to consider the role of the Council in terms of helping to establish the local market for sustainable fuels; to consider what the Council and its partners can proactively do to support the move to sustainable fuels.
- **Clean Air Zones** – to understand how Clean Air Zones work; the impact that a Clean Air Zone could have upon air quality in Cardiff and the wider implications for the city; the costs and opportunities of setting up a clean air zone; best practice in delivering Clean Air Zones (to include domestic and international examples).