

Ref: RDB/PM/BD/13.10.15

26th October 2015

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



Dear Councillor Derbyshire,

Environmental Scrutiny Committee – 14th October 2015

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

Statement & Public Question

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

Summary of the main points from the Statement

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

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

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

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

The question raised by the group of Penylan residents was:

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

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

In response to the question you explained that:

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

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

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

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

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

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

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

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

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

Regards,

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

Councillor Paul Mitchell
Chairperson Environmental Scrutiny Committee

Cc to:

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

Paul Keeping, Operational Manager, Scrutiny Services

Joanne Watkins, Cabinet Office Manager

Members of the Environmental Scrutiny Committee

Councillor Joe Boyle, Elected Member for Penylan

Councillor Bill Kelloway, Elected Member for Penylan

Mr Lee Fisher, Resident of Penylan