

ENVIRONMENTAL SCRUTINY COMMITTEE

5 SEPTEMBER 2017

Present: County Councillor Patel(Chairperson)
County Councillors Philippa Hill-John, Owen Jones, Lay,
Lancaster, Mackie, Owen, Wong and Wood

1 : APPOINTMENT OF CHAIRPERSON AND COMMITTEE MEMBERSHIP

The Committee noted that Council on 25 May 2017 appointed Councillor Ramesh Patel as Chair and the following Members to the Committee:

Councillors Philippa Hill-John, Jones, Lancaster, Lay, Mackie, Owen, Wong and Wood

2 : TERMS OF REFERENCE

Members were asked to note the Committee's Terms of Reference.

3 : APOLOGIES FOR ABSENCE

No apologies for absence were received.

4 : DECLARATIONS OF INTEREST

No declarations of interest were received.

5 : MINUTES

The minutes of the Environmental Scrutiny Committee of 14 February and 7 March 2017 were noted. The minutes of the Joint Scrutiny Committee held on 18 July 2017 were approved.

6 : MANAGING STREET CLEANLINESS & TOTAL STREET SCENE IN CARDIFF

The Committee received a report providing Members with a briefing on how the Council deals with litter, street cleansing and the total street scene in Cardiff and in particular, the various categories of litter; the resources available to tackle litter; the challenges of managing litter; litter management campaigns and recent Local Environmental and Management Systems (LEAMS) results.

Members were advised that the Council is tasked with managing litter in the city. This applies in the main to public spaces, however, in some instances the Council also has to take responsibility for cleansing private land. The main functions of litter management are carried out by Street Cleansing Service and Waste Enforcement and are delivered by the Council's Neighbourhood Services team.

On 6 July 2017 the Council published the 'Capital Ambition' document which set out the authority's commitments, including managing litter and street cleanliness. The four commitments relating to managing litter and street cleansing were set out in the report.

This document is available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

The Street Cleansing Service provides a number of statutory services including street cleansing, public bin emptying and the removal of fly-tipping. The service cleanses approximately 1088 km of carriageway and 1900 km of footway and empties approximately 1700 bins on a regular basis. In 2016/17 the service responded to 7,958 fly-tipping incidents, of which 7,827 were cleared within 5 working days. Members were asked to note that fly-tipping incidents reported an increase in incidents of 1,744 (approximately 28%) between 2015/16 and 2016/17. Despite the increase in reported incidents 98.35% of incidents were responded to within 5 working days.

The Street Cleansing Service employs 164 full time staff. The total costs of running the service during 2016/17 was £6,800,446, resulting in a net cost to the Council of £6,058,546. The cost of running the service has been reduced by 16.9% since 2011/12.

The Waste Enforcement Service is responsible for providing waste management related education and enforcement activities. In 2016/17 the service dealt with 19,847 cases. The service issued 2,075 fixed penalty notices in 2016/17. A summary of these cases and the fixed penalty notices issued was appended to the report.

The Waste Enforcement Service employs 41 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 was supported by £415,000 grant monies and from £352,047 from fines. During the period 2011/12 to 2015/16 the income from fines increased from £26,012 to £352,047.

Members were advised that the powers available officers were reviewed by the Environmental Scrutiny Committee in March 2017. A copy of the report received by the Committee, a summary of the service and an update on a number of new developments was appended to the report at Appendix 2.

The main elements of the enforcement process are Education Awareness, Enforcement and Prevention and Processing and Transactions. All three parts have to complement each other to be effective. The majority of waste and environment enforcement issues fall under four broad headings, namely: Waste Presentation, Local Environment Quality (LEQ), Fly Tipping and Highways Licensing Enforcement.

Two teams within Neighbourhood Services issue fines for waste/environmental and highways licensing contraventions are the LEQ Team and Waste Team, the LEQ Team issue Fixed Penalty Notices (FPNs) for litter and dog fouling; and highway contraventions such as A-frames, street cafes, fly posting and scaffolding. The Waste Team issue FPNs predominantly for incorreced presented waste.

The report included an overview of the main performance indicators used to measure street cleanliness: LEAMS – Local Environmental Audit and Management System surveys; and 2 established performance indicators – the Cleanliness Index and the percentage of Highways to a High or Acceptable Standard of Cleanliness. Appendix 3 to the report provided an illustration of the performance indicators results for the period July 2014 to July 2017.

Members were also advised that in September 2016 the Council launched the city-wide 'Love Where You Live' campaign, which aimed to improve the standard of street cleanliness in streets and neighbourhoods by engaging the support of local residents. The campaign initially focussed on the inner city wards of Grangetown, Canton, Cathays, Riverside, Plasnewydd, Adamsdown and Splott. Each ward was targeted for a one-week period with each of the wards being visited twice. The outer wards have also received visits for a shorter duration.

In terms of future proposals for the service, a number of new initiatives and service improvements were being considered, including: an emphasis on total street scene; an introduction of ward based total action plans; digitalisation of Neighbourhood Services Enforcement; enforcement of highway licences and the introduction of Public Space Protection Orders; delivering camera enforcement in relation to larger scale commercial/construction tipping; update on changes to small scale fly-tipping; volunteering and citizen engagement.

The Chairperson welcomed Councillor Michael Michael, Cabinet Member for Clean Streets, Recycling and Environment, and Andrew Gregory, Corporate Director, to the meeting. Councillor Michael was invited to make a statement.

Councillor Michael thanked the Committee for the invitation to attend the meeting. Councillor Michael stated that street Cleansing was an important issue for citizens and he intends to provide improvements by putting processes in place to deliver cleaner streets.

The Councillor considered that it was important to consider the total street scene and not rely on the authority sending different teams of personnel to deal with different issues. New technologies will also assist in delivering service improvements.

Councillor Michael accepted that the authority will always face challenges from students, major events and commuters. The total street scene approach together with by engaging with communities on initiatives such as 'Love Where You Live' and 'The Big Sweep' the authority will deliver cleaner streets and less fly-tipping.

A zero tolerance approach to litter will be adopted. The public will have a role to play in helping move to a position whereby dropping of litter is deemed unacceptable. Education and enforcement will be used to encourage a change of culture in this respect.

The Director stated that the challenge was to make streets cleaner and yet, whilst targets are being met, the street scene still feels dirty. A range of issues such as trees, drainage, gulleys and signage are being addressed collectively under the total area assessment. It was also anticipated that closer engagement with Members and the community would lead to improvements. The Director recognised that there are a number of factors which impact on the street scene, and these factors are different in different parts of the city. It was questioned whether a generalised service was the most efficient way as there are different densities in different parts of the city.

Matt Wakelam, Operational Manager, Infrastructure and Operations delivered a presentation on Managing Street Cleanliness. Members were invited to comment, seek clarification or raised questions on the information received. Those discussions are summarised as follows:

- Members asked when the Ward Action Plans would be rolled out. Officers advised that Ward Action Plans would be piloted in January 2018, initially in a number of wards. There was also an opportunity to look at other funding streams, such as s106, as part of the plans.
- Members welcomed the Ward Action Plans. Officers were asked to explain how actions would be prioritised within wards. The Director advised that Wards Area Plans identify perceptions and balance these against the technical information available. The plans represent an agreement between a number of parties. It was accepted that some wards there will be more 'need'.
- Members noted that the number of dog fouling incidents was relatively low and asked whether officers were making efforts to increase this. Officers stated that it was difficult for officers to witness the act of dog fouling, but where they do action is taken. Councillors were invited to raise local issues of concern.
- Officers were asked to explain why the number of reported fly-tipping incidents in the city had increased by 28%. Members were advised that reports of litter received by C2C were often recorded as fly-tipping and this would skew the reported figures. Large events, such as the Champions League Final, also had an impact and had distorted the figures. The Cabinet Member stated that a strong definition of what constituted fly-tipping would assist matters.
- Members asked whether clean street audits were carried out at different times of the day and on different days of the week. Officers stated that audits should be random. Audits that are carried out as part of safety inspections can be at any time of the day. Officers are also able to collate data, such as the number of complaints, and the data can be used to identify trends. For example, there are likely to be litter problems after waste collections. Data can also be interrogated so that enforcement can be targeted in the future.
- Members recognised that there are particular issues in the Cathays ward which are related to the high numbers of students living in the ward. Referring to the high number of penalty notices issued in the Cathays ward, a Member asked whether students were being targeted because they are more compliant or whether enforcement officers were more efficient in the Cathays ward. The Committee was advised that efforts are made to contact all student households and provide advice on the correct way to present of waste. Education packs are provided and visits are recorded. If waste is subsequently presented incorrectly then fines may be issued. The Authority is supported by the University in getting the strong message across to students that if fines are not subsequently paid, a summons will be issued; it is a criminal matter and payments are made to the Courts.
- Members considered that as 659 Section 46 notices had been issued within the Cathays ward, the public perception may be that the authority is focussing its attention on that ward. A Member asked whether officers had considered other methods of enforcement, such as targeting the landlords of HMOs. The Cabinet Member stated that the authority was working with landlords as part of the education programme. Prosecutions need to be evidence based and it would therefore not be possible to fine landlords for offences which they did not commit.

- Members questioned why in some wards no offences were reported. Some Members considered that it was implausible that offences were not being committed in those wards and asked, therefore, whether offences were being investigated. The Director stated that there are clear differences in the activities taking place within different wards. Area Action Plans, if balanced correctly, will result in less activity in some wards and more activity in other wards.
- Members asked what could be done to reduce missed collections in the City Centre. Officers stated that the Council only collects 30% of the waste presented in the City Centre. The authority does work with other waste collectors. The City Centre Team provides a 24/7 service which will proactively respond to reports of missed collections.
- Members noted that the Cathays ward was subject to high levels of enforcement activity when compared to Plasnewydd; an area of similar composition and where similar waste enforcement problems were common. Members questioned whether Cathays was being targeted with more enforcement officers. An officer stated that serious problems often present themselves in the Cathays ward and no other wards were a problematic.
- The Committee requested further details with regard to the collection rate on notices issued. Officers agreed to provide details of the collection rate.
- A Member asked whether the authority held information on the origin of fly-tipping offenders. Officers indicated that small scale fly-tipping offenders were often local residents. Officers also considered that larger scale fly-tipping, such as construction waste, which is dumped on the periphery of the city may originate from outside the city limits.
- Members asked whether the authority was addressing potential waste presentation problems occurring in temporary accommodation in the city. Officers stated that individuals residing in temporary accommodation were often transient residents, such as asylum seekers. Their accommodation is Home Office funded. The authority has an agreement with Clearsprings, who pay the authority to collect waste and provide waste presentation advice in a number of languages and dialects. Problems as such accommodation is managed when it is reported.
- Residents are encouraged to report waste problems and it was anticipated that digitalisation would make reporting problems easier.
- The 7 additional enforcement staff referred to in the report were appointed using a one-off budget allocation. The additional officers have focused on delivering improved enforcement in relation to tables and chairs, skips, scaffolding and A-frames.
- The Committee asked officers to explain the reduction in LEAMS standards between September 2016 and May 2017. Officers advised that falls had occurred as a result of the annual Autumn leaf fall and changes to the LEAMS auditing process. Members were asked to note that, whilst the fall during this period was concerning, the overall trend in the data indicated that standards are improving. The Director stated that the authority was seeking a closer relationship between the measurement of cleanliness and people's perception. The Cabinet Member

asked whether a universal standard for cleanliness existed and would welcome further investigation by the Committee on this.

- A Member asked for the officers' views on sickness absence levels within the service. The Director stated that corporate policies were being rigorously applied.

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

7 : MANAGING RECYCLING IN CARDIFF

The Committee received a report providing a briefing on the approach taken by the Council to recycle and process the waste material it collects in Cardiff. The report sought to highlight the statutory targets, available infrastructure, resources, challenges and responsibilities placed upon the Council. The Council must meet the statutory obligations placed upon it by legislation.

The Council's Waste Management Strategy 2011 helped to increase overall recycling rates from 39% in 2009/10 to 52% in 2012/13. However, in 2013/14 the authority fell short of the Welsh Government's 50% target. Preventative measures were required in future years to ensure that recycling targets were secured and cost efficiencies were maximised. In addition, the Council had to test its compliance with its duty to collect recyclable materials separately and obtain high quality recycling.

Therefore, the Waste Management Strategy 2015 was mindful of the need to meet recycling targets for 2017/18; outline the future position on the recycling collections methodology; seek cost reductions and deliver the most effective approach; secure high quality recycling; reduce the carbon footprint; and secure long-term regional working and partnerships for recycling; and to deliver waste minimisation, education and enforcement activities.

Members were advised that the Waste Management Strategy is reviewed every three years to ensure that it reflects current legislation and challenges. The seven core objectives underlying the strategy were summarised in the report. The strategy is broken down into a number of implementation phases. Each phase has been the subject of a detailed business plan and budget approval. A summary of each of the five phases was also set out in the report.

Members were reminded of the financial risk for failing to reach recycling targets. If no changes are made to the delivery of Council recycling, then there was potential for fines to equate to over £21 million between now and 2020.

There has also been a change in EU legislation that related to recycling and waste collections, as set out in the Waste Framework Directive 2012 and subsequently the Waste (England and Wales) (Amendment) Regulations 2012. The regulations outlined the need for separate waste collections of waste paper, metal, plastic and glass, or to demonstrate that the collection methods used could achieve high quality recycling, whilst also being the best technical, environmental and economically practicable solution (TEEP).

The Welsh Government set out its preferred approach to collections in 'the collections blueprint' and failure to adhere to this blueprint could possibly result in the loss of grant funding which is currently worth over £7 million to the authority per

annum. The TEEP business case must be benchmarked against a kerbside sort box solution as the EU and Welsh Government determined this method to be the optimum solution.

The Council developed robust evidence and data modelling around its decision to use co-mingled collections. The main areas that the Council considered in its evidence base were set out in the report. The Council also considered the health and social impacts of its collection method.

The report included details of the current collection schedule and an overview of recent waste collection changes, such as the expansion of the wheeled bin programme and the introduction of the 140 litre bin for general waste.

Members were advised that Household Waste Recycling Centres (HWRC) provide facilities for the disposal of a range of recyclable materials and waste. HWRCs recycle just over 60% of the materials that they receive. The Council has two purpose built sites at Lamby Way and Bessermer Close. In addition, the Wedal Road site remains open until re-use provisions are in place.

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

- Materials Reclamation Facility (MRF)
- Cardiff Energy Recovery Facility (ERF) -
- Kelda Organic Energy
- Household Waste Recycling Centres

Regional working through joint procurements have been successful and by combining together on projects such as Prosiect Gwyrdd, the Cardiff and Vale organics procurement and regional procurement contracts authorities are able to share resource costs and secure better gate fees through economies of scale. Welsh Government also supports more regional working to secure longer term cost savings. Whilst regional approaches exist for residual waste, food and green waste there remains a gap in the market for recyclable materials.

It is proposed that through partnership with the Welsh Government and neighbouring authorities, the Council will explore the feasibility of a regional recycling facility. The main objectives of the facilities will be to secure future recycling capacity in the region; to deliver high quality materials for the market place; to provide a flexible processing facility for all dry recyclable materials; and to provide economies of scale to deliver cost effective processing and maximise income potential for the region.

The report also provided Members with a summary of the recycling performance indicator results from 2012/13 to 2015/16.

The Chairperson invited Councillor Michael Michael, Cabinet Member for Clean Streets, Recycling and Environment to make a brief statement. Councillor Michael stated that the Cardiff tops those core cities with a recycling rate of 58% thanks in the main to widespread public support for recycling. The volatility of the recycling markets remains a challenge for the authority. In the future the service will focus on improving the quality of recycled materials, regional collaboration and the best collection methods.

Pat McGrath, Operational Manager, Infrastructure and Projects and Jane Cherrington, Operational Manager, Strategy and Enforcement were invited to deliver a brief presentation on recycling drivers and challenges. Members were invited to comment, raise questions or seek clarification on the information received. Those discussions are summarised as follows:

- Members noted that the total waste collected during 2015/16 had increased by 7000 tonnes. Officers indicated that increases in the commercial waste stream and a number of large events in the city had increased the tonnages collected.
- Members asked what lessons had been learnt during the implementation of previous changes to waste collections. Officers stated that the way the authority communicates with the public has changed and there was now a reliance on social media. It was also recognised that more 'up front' public consultation was necessary.
- The Committee noted that HWRC facilities were performing well. Officers were asked what proposals were being considered to increase recycling rates further. The Cabinet Member stated that the authority was aiming for a 100% recycling rate. The Cabinet Member believed that small HWRCs offer a limited service but large purpose built facilities, such as the Lamby Way site, which are able to offer a wide range of services and yet still be accessible, are the way forward. The administration was still considering options for increasing the number of HWRCs in the city.
- Responding to a question from the Committee, the Cabinet Member indicated that discussions with neighbouring authorities were being held and that there may be scope for a joint approach to, for example, collecting for energy from waste. However, these were complex discussions.
- Members were advised that wheeled bin collections produce less waste and less litter, but these are only possible in certain parts of the city. Different collection methods would be considered and the authority is to trial the separation of glass in the near future. The Committee debated this proposal. Some Members considered that further separation of recycling, such as in the kerbside sort methods used by some authorities, was not practicable in Cardiff and would fail to gain public support. Other Members considered that the public would support such a move. The Cabinet Member stated that the same arguments were put when green bin collections were first introduced and when black bins were reduced in size. He considered that the public would support any proposals that would further increase in the net amount of waste being recycled.
- Members asked what initiatives were in place to encourage recycling culture in schools and school children. Officer stated that the 'Really Rubbish Campaign' was in its 10th year and was taken to all schools in the city, with the express aim of promoting recycling.
- A Member asked what was being done to reduce waste or reuse unwanted goods. Officers stated that waste minimisation does not count towards recycling targets. However, programmes such as home composting were in place. The social benefits of reducing waste and re-use were recognised but currently there

was not a significant impact on performance.

- Members recognised the challenge associated with waste collections from residents in blocks of flats. Space and storage problems were a major concern. Further education and enforcement was necessary as it only takes one resident to contaminate the waste stream. Officer accepted that there is further work required.
- Members asked why the provision of recycling bags was restricted. Officers stated that it was estimated £1 million had been lost under the previous system as there was no control and limitless number of recycling bags were given to anyone. Recycling bags are still available at all Council buildings and can be ordered online.
- Members asked how the 60% recycling figure at HWRCs compared with other local authorities in Wales and whether officers have considered displaying recycling figures to members of the public at HWRCs. Officers stated that the 60% figure was low down the league table. Signage was currently being erected and figures will be displayed in the near future.

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

8 : ENVIRONMENTAL SCRUTINY COMMITTEE - DRAFT WORK PROGRAMME 2017/18

Members received the Committee's draft work programme for 2017/18. The Principal Scrutiny Officer invited comments on the work programme. Members welcomed the work programme and were broadly supportive of the topics included.

Expressions of interest were sought from Members who may be interested in participating in the Air Pollution Task and Finish Group. The Principal Scrutiny Officer agreed to circulate an email providing some clarification of the Task and Finish Group process and seeking participants.

AGREED – That the Environmental Scrutiny Committee Work Programme 2017/18 be approved.

9 : DATE OF NEXT MEETING

Members were advised that the next Environment Scrutiny Committee is scheduled for 3 October 2017.

The meeting terminated at 8.00 pm

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