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8 April 2013

OVERVIEW AND SCRUTINY MANAGEMENT BOARD

Tuesday 16 April 2013 10.00 am Warspite Room, Council House, Plymouth (Next to the Civic Centre)

Members:

Councillor Mrs Aspinall, Chair Councillor Tuffin, Vice Chair Councillors Bowie, Bowyer, Casey, Philippa Davey, James, Monahan, Murphy, Mrs Nelder, Nicholson, Vincent and Wigens.

Members are invited to attend the above meeting to consider the items of business overleaf.

Tracey Lee
Chief Executive

OVERVIEW AND SCRUTINY MANAGEMENT BOARD

AGENDA

PART I - PUBLIC MEETING

I. APOLOGIES

To receive apologies for non-attendance submitted by Overview and Scrutiny Management Board Members.

2. DECLARATIONS OF INTEREST

Members will be asked to make any declarations of interest in respect of items on this agenda.

3. CHAIR'S URGENT BUSINESS

To receive reports on business which, in the opinion of the Chair, should be brought forward for urgent consideration.

4. CALL-IN: REVISED HOUSEHOLD WASTE RECYCLING (Pages 1 - 14) CENTRE OPENING HOURS AND WASTE ACCEPTANCE CRITERIA

The Overview and Scrutiny Management Board will consider the decision called in by Councillors Michael Leaves, Martin Leaves and Churchill.

5. EXEMPT BUSINESS

To consider passing a resolution under Section 100A (4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following item(s) of business on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in paragraph(s) ... of Part 1 of Schedule 12A of the Act, as amended by the Freedom of Information Act 2000.

PART II (PRIVATE MEETING)

AGENDA

MEMBERS OF THE PUBLIC TO NOTE

that under the law, the Board is entitled to consider certain items in private. Members of the public will be asked to leave the meeting when such items are discussed.

NIL.

<u>Call In</u> Procedure to be Followed in the Meeting

- Once the Chair has opened the meeting and any previous business on the agenda been dealt with, the Members who called in the decision will be asked to explain why they have done so and what they feel should be reviewed.
 - The Members making the call-in shall be allowed up to 15 minutes in total to present their case. It shall be up to them to determine how they wish to use their time, they may ask one speaker to speak or share the time among several speakers as they see fit.
- 2. **15 minutes shall be allowed to respond on behalf of the decision maker(s).** It shall be up to them to decide how to use this allocation. The relevant Cabinet Member, or a senior officer, may make the presentation or they may divide the time between several speakers as they see fit.
- 3. After each presentation, Members may ask questions to clarify any points made by the speakers (although the speakers will not have an opportunity to cross-examine one another).
- 4. The Management Board will then discuss the matter. Members may ask further questions of the Members making the call in or the decision makers during the debate. The Members making the call in and the decision maker will not normally speak during the debate, except to answer questions
- 5. When the Chair considers that the matter has been debated for a reasonable length of time, the decision maker will be offered the opportunity to make any final comments on the matter. One of the Members making the call in will also be offered the opportunity to sum up. Each side will be allowed five minutes for this purpose.
- 6. The matter will then move to the vote:
 - The first question is to consider in principle whether, in light of the case presented by the Members making the call-in and any other points made during the debate, Members wish to refer the decision for further consideration. If members vote no at this stage, the call-in is ended. The matter will not be referred back and the original decision may be implemented.
 - 2. If Members vote in favour of referring the matter for reconsideration, they must vote on the following matters:
 - (a) Where to refer the matter Members must decide whether the decision should be referred back for reconsideration directly to the original decision-maker (i.e. the Cabinet OR an Executive Committee OR to refer the matter to City Council with a request that they decide whether to refer the matter back to the original decision-maker for reconsideration. The Chair shall ask members to vote in favour of either:

- (i) Reference directly back to the original decision-maker
 - (ii) Reference back via the City Council

OR

- (b) Reasons for referring the matter back The Chair will then put to the meeting that the matter be referred back to the original decision-maker (or to the City Council, as the case may be) for the reasons set out in the call-in request. Members will then be invited to move any amendments or additions to those reasons. Members may also move any specific recommendations or issues they would like the original decision-maker or Council to consider. Members must agree on the factors the decision-maker (or Council) are to be asked to consider. The matter may not be referred for reconsideration without reasons being given.
- 3. If Members of the Overview and Scrutiny Management Board vote to refer the matter back via City Council, they must then decide whether to request that any officers should be available to respond to questions at the Council meeting. If they do wish officers to be available, they should specify which officers they wish to be present to answer questions. They may not request any officer below the level of Head of Service to appear before Council.

EXECUTIVE DECISION

made by a Cabinet Member



REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number - E7 12/13

Dec	cision
I	Title of decision:
	Revised Household Waste Recycling Centre Opening Hours and Waste Acceptance Criteria
2	Decision maker (Cabinet Member):
	Councillor Brian Vincent – Cabinet Member for the Environment
3	Report author and contact details:
	Mark Turner, Head of Waste Disposal, Strategy & Contracts email:mark.turner@plymouth.gov.uk Tel. 304991
4	Decisions to be taken:
	■ To reduce the opening hours of the Council's Household Waste Recycling Centres (HWRCs) (see Section 3.1 of the attached briefing report).
	■ To extend the van permit scheme to include trailers and amend the number of permitted visits per annum for either a van or a trailer to the HWRCs (see Section 3.2 of the attached briefing report).
	 To limit the amount of soil &/or rubble that can be deposited per household per annum (see Section 3.3 of the attached briefing report).
5	Reasons for the decisions:
	To provide a more efficient service by reducing the hours when the HWRCs are open to align better with higher periods of customer usage.
	 To prevent and deter the misuse of the HWRCs by traders.
	 To update the HWRC waste acceptance criteria to better control waste and provide a fairer service to all Plymouth City Council Council Tax Payers.
6	Alternative options considered and rejected:
	i) No change is not considered to be a viable option. The Council's HWRCs are out of line with service level provision of neighbouring authorities' HWRCs and nationally. This leaves the centres open to misuse from some residents and abuse from unscrupulous traders which is ultimately an unfair cost

to Plymouth Council Tax Payers. In addition, opening centres during times of very light usage leads to

an inefficient service.

- **ii)** Charging for non statutory wastes, soil and rubble, has been discounted at this point in time as it would be a significant change that is problematic to administer and would place HWRC staff at greater risk of abuse or assault.
- **iii) Further Restrictions to HWRCs and Opening Hours** have been discounted at this time as it would unduly impact on users of the service and genuine needs of Plymouth's residents to be able to access HWRCs to dispose of their waste materials.

7 Financial implications:

Additional resources will be required to implement the proposed changes but these resources will be found from within the service and an overall saving of circa £200k per annum is anticipated. This will contribute £50k to the required Environmental Services budget reductions and the balance will offset known pressures within the waste disposal service area from reduced recycling income and a shortfall in landfill disposal budget.

8	Is the decision a Key De	ecision?	Yes		(Key decisions are normally made by the Cabinet)		
			No	✓			
9	Please specify how this linked to the policy framand/or budget:	nework	environme	Corporate Plan 2012-15, addressing challenging environmental issues around waste minimisation, ecycling. Savings plan 2013/14.			
10	Is the decision urgent?		Yes		(If yes, ensure that the Chair of the Overview and Scrutiny Management Board signs the report at section I Ia and section I Ib is completed after the sign off codes in Section I7 are completed)		
			No	✓	(If no, go to section 12)		
lla	Signature			Date			
	Print Name						
116	D						

IIb Reason for urgency:

Con	Consultation				
12	Are any other Cabinet members			(If yes, go to sections 13 and 14)	
	affected by the decision?	No	✓	(If no, go to section 15)	
13	Which other Cabinet member is affected by the decision?	None			

14	Please confirm that you have consulted this Cabinet member	N/A		(No is not an option)							
15	Has any Cabinet member declared a conflict of interest?	Yes						dispensation granted by onitoring Officer			
		No	,	✓ circ Gourien o i ioiii				itoring Officer			
16	Which Corporate Management Team member has been consulted?	Name Anthony Payne - Director for and title				r Place					
17	9		ratic S	Sup	port	(manda	tory)	DSO75 12/13			
	from the relevant departments consulted:		e (mar	ndat	tory)			CF/Plac 04.12.02	eFESD 12 2.13	21300	
		Legal (r	manda	ator	γ)			16894/a	g/12.2.1	3	
		Human	Reso	urc	es						
		Corpor	Corporate Property								
		IT _									
		Procurement									
	Information				/F /						
18	Is the decision in accordance with an Equalities Impact Assessment?	Yes	Yes								
		No									
	Briefing report										
19	Is the briefing report attached?	Yes	✓		(No i	is not an	option))			
	List (and include a hyper link to) published work/information used to prepare the report.										
	Do you need to include any confidential/exempt information?	No If yes, prepare a second, Part II, report and indicate why it is not for publication by virtue of Part I of Schedule I2A of the Local Government Act 1972 by ticking the relevant box. (Remember to keep as much information as possible in the briefing report that will be in the public domain)									
			•			ption P	•	•	nber		
		I 2 3 4 5 6				7					
Confidential/exempt briefing report title											

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Background P	apers
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20 Please list all background papers relevant to the decision in the table below.

Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. A folder or a file should not be cited as a background paper, though individual items within the folder or file may be. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.

Title	Part I	Part II	Exemption Paragraph Number			nber	er		
		ı	2	3	4	5	6	7	
Review of HWRC Opening Hours and Waste Acceptance Criteria – Supporting Background Reports – 31 January 2013	✓								

Cabinet Member Signature

I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, City Strategy, Corporate Plan and Medium Term Financial Plan.

Signature	Date of decision	
Print Name		

Review of HWRC Opening Hours and Waste Acceptance Criteria Briefing Report - February 2013

I. Introduction and Summary

- 1.1 Plymouth City Council provides two Household Waste Recycling Centres (HWRC), Chelson Meadow and Weston Mill for residents (householders) of Plymouth to deposit 'household' waste free of charge.
- 1.2 The Centres are popular with residents and provide a high standard of service with: extensive opening hours; close attention to customer care; and high diversion of waste from landfill currently 83% at Chelson and 77% at Weston Mill.
- 1.3 Upgrades to the HWRC layouts in recent years and improvements in working practices have led to improved efficiencies at the sites which coupled with changes in customer needs show that there is capacity to reduce and amend certain aspects of the service provision with minimal impact on customers. Such changes would make the service more efficient and provide associated savings at a time when value for money is a high priority.
- 1.4 Trade and commercial wastes are not permitted to be deposited at the HWRCs, although in some circumstances Small & Medium Sized Enterprises (SMEs) can make arrangements at Chelson Meadow for the paid disposal of waste and free deposit of recycling items. However, apart from Automated Number Plate Recognition (ANPR) equipment, van access controls and staff monitoring usage, there are currently few restrictions with regard to entry and waste acceptance at the HWRC sites.
- 1.5 Therefore, in recognition of the ever increasing costs of managing and disposing of waste there is a need to revise the Council's HWRC waste acceptance criteria to prevent and deter illegal use by traders and provide some restrictions on unreasonable and excessive use which is subsidised unfairly by the majority of Plymouth council tax payers. Such measures have also become necessary to align with HWRC waste restriction policies recently introduced by neighbouring authorities.
- 1.6 Following a review of the HWRCs current service provision, an options appraisal of the potential mechanisms to control misuse of the centres with minimal impact on bona fide users has identified the following measures which are recommended for adoption:
 - Reduction of the HWRCs opening times to align more efficiently with customer usage.
 - Extension of the existing van permit scheme to include trailers and additional access restrictions.
 - Limits to the amount of soil and rubble (hardcore) that can be accepted.
- 1.7 It is envisaged that the adoption of these changes will have very little impact on the majority of Plymouth residents and legitimate customers and will collectively produce efficiency savings of around £200k per annum which will contribute to the required Environmental Services budget reductions and help offset known pressures within the waste disposal service area. If these changes are implemented in 2013/14, the

impact on usage and waste arisings will be monitored during the remainder of financial year to evaluate whether future changes to HWRC's are warranted.

2. Background

Legal Obligations

- 2.1. The Council has a statutory obligation under the Environmental Protection Act 1990 to provide a facility, generally know as a Civic Amenity Site or Household Waste Recycling Centre (HWRC) where 'residents' can deposit waste 'free of charge'.
- 2.2. Under the regulations, the Council has no obligation to accept waste from commercial sources or from persons that reside outside of Plymouth although a reasonable charge can be made for waste generated from these sources. The Council can also place restrictions on materials that are deemed to be non-household waste such as soil and rubble, and also on how waste materials are received.

HWRC efficiencies

- 2.3. Following a £2.2 million upgrade in 2009 Chelson Meadow boasts facilities amongst the best in the country and is one of the largest centres of its type while Weston Mill was refurbished in 2007 and is operated via an innovative partnering contract with a 3rd sector organisation.
- 2.4. The improvements to the facilities in terms of layouts and provision, and better operational procedures to assist customers and divert waste from landfill, have led to considerable efficiencies and exemplar diversions of wastes from landfill as well as additional capacity to increase vehicle and customer hourly throughput.

Neighbouring authorities' policy changes

2.5. During 2011 PCCs neighbouring authorities, like many English authorities, adopted stricter HWRC access controls and waste acceptance criteria because of the need to control waste and reduce costs. For example Devon County Council's measures included the implementation of charges for materials sourced from DIY and home improvements i.e. soil & rubble, plasterboard, bonded asbestos as well as tyres as there is no statutory requirement to collect these waste materials.

Review of site usage

2.6. Monitoring and surveys of the usage of Chelson Meadow and Weston Mill HWRCs, including Automated Number Plate Recognition (ANPR) data, indicates that the centres are potentially receiving materials from non-Plymouth resident sources including illegal trade waste sources as evidenced by a small number of users who are regularly depositing excessive amounts of waste at the sites, particularly green waste, soil & rubble and items from house clearance, often in trailers.

3. Proposed changes

3.1 Option I - Reduced Operational Hours

3.1.1 Currently Chelson Meadow opens from 8:30am to 7:30pm (77 hours per week) in the Summer and 8:30 am to 6:30pm (70 hours per week) in the winter whilst Weston Mill is open from 9:00am to 6:00pm (63 hours per week) all year round. In

- addition, the Council's HWRCs open on Boxing Day and New Year's Day and are the only centres locally and one of a few nationally to do so.
- 3.1.2 A comparison of the Council's HWRCs opening times with neighbouring authorities (see Table I below) demonstrates that our HWRC opening hours, particularly Chelson Meadow, are significantly longer than those provided by other authorities.

Table I – Comparison of HWRC Opening Hours

Comparison of HWRC Opening Hours/Week with Neighbouring Authorities					
Summer Winter					
Plymouth Chelson	77 current	70 current			
Plymouth Weston					
Mill	63 current	63 current			
Devon	65	59			
Cornwall	49	49			
Somerset	40	40			

- 3.1.3 An analysis of customer usage patterns of Plymouth's HWRCs across 2012 also shows that regardless of the time of year, vehicle throughput demonstrates a clear distribution pattern with relatively few visits early in the morning, rising during the day and reducing after 4pm and most significantly after 6pm.
- 3.1.4 Given that Plymouth's opening hours are extensive in comparison to neighbouring local authorities and indeed to most HWRCs nationally and there are clearly identified points of the day when the Council's sites are not well patronised, hence there is ample scope to significantly reduced opening hours with minimal impact on the vast majority of customers.

Revised opening times

- 3.1.5 It is recommended that from April 2013 Chelson Meadow & Weston Mill HWRC opening hours be standardised with both sites opening at 9:30 am and closing at 6pm in the summer and 5pm in the winter with the exception of Chelson Meadow which will operate extended hour on Mondays and Saturdays.
- 3.1.6 These extended hours for the Chelson Meadow site which will accommodate customer need and confer some flexibility in access times for customers who cannot access the sites during the day.
- 3.1.7 Table 2 below summaries proposed opening times at Chelson Meadow with Table 3 summarising opening times for Weston Mill.

Table 2 Proposed Chelson Meadow HWRC opening hours

Chelson Meadow Revised
Opening Times Commencing
April 2013
Summer (36 weeks April -

Chelson Meadow Revised
Opening Times Commencing
November 2013
Winter (16 weeks November -

October)					
Day	Opening	Closing			
Monday	9.30am	7pm			
Tuesday	9.30am	6pm			
Wednesday	9.30am	6pm			
Thursday	9.30am	6pm			
Friday	9.30am	6pm			
Saturday	8.30am	6.30pm			
Sunday	9.30am	6pm			

Total	Openin	g Hours/we	ek = 62
		hours	

March)					
Day	Opening	Closing			
Monday	9.30am	6pm			
Tuesday	9.30am	5pm			
Wednesday	9.30am	5pm			
Thursday	9.30am	5pm			
Friday	9.30am	5pm			
Saturday	8.30am	5.30pm			
Sunday	9.30am	5pm			

Total Opening Hours/week = 55

Table 3 Proposed Weston Mill HWRC opening hours

Weston Mill Revised Opening Times Commencing April 2013						
Summer (36 weeks April - October)						
Day	Opening	Closing				
Monday -Sunday 9.30am 6pm						
Total Opening Hours/week = 59.5 hours						

Weston Mill Revised Opening Times Commencing November 2013			
Winter (16 weeks November - March)			
Day	Opening	Closing	
Monday -			
Sunday	9.30am	5pm	
Total Opening Hours/wook = 52 5			

Total Opening Hours/week = 52.5 hours

Closure on Boxing Day and New years Day from 2013

- 3.1.8 Customer usage records show that Boxing Day and New Years Day openings are not overly well patronised as many residents believe the HWRCs are already closed as these days are major bank holidays. Due to the lack of customer demand, as from 2013 it is proposed that both HWRCs will close on these bank holidays.
- 3.1.9 Incorporation of the above opening hour and bank-holiday changes would provide estimated net efficiency savings of £179k.

3.2 Option 2 – Extension and modification of the existing van permit scheme

Current Van Permit Scheme Overview

- 3.2.1 At present vans are excluded from using Weston Mill HWRC for safety reasons and a permit system for vans is in place at Chelson Meadow. Van permit holders are issued with 12 permits per annum but there are currently no restrictions on trailer usage.
- 3.2.2 An analysis of records showed that during 2011/12 less than 6% of van permit holders used all 12 permits while a site usage survey undertaken in 2012, demonstrated a relatively high usage of trailers and very frequent visits by some

customers. This information suggests traders maybe evading the van permit scheme by transporting materials into the centres via trailers.

- 3.2.3 Although the number of vans towing a trailer accessing Chelson Meadow is relatively low, the amount of tonnage deposited per visit can be high as many trailers arrive fully loaded for example, a transit sized van towing a typical large trailer could transport 1.5 tonnes of waste into Chelson Meadow in a single visit which is more than a typical Plymouth family of 2 adults and 2 children will generate in household waste per year (the average household currently produces 630kg per annum).
- 3.2.4 Similarly, although the number of very large double axle trailers (over 3 metres) visiting the HWRCs is low, a fully loaded trailer has a very high carrying capacity of up to 3.5 tonnes. Also during peak operational times, these very large trailers present operational and safety issues, and increase congestion at the centres, particularly at Weston Mill due to its limited circulation space.

Revised HWRC Permit Scheme implementation from April 2013

- 3.2.5 Limiting and controlling the number of visits per household for either a van or trailer will curtail excessive and misuse of the sites and restrictions to the size of trailers will improve site safety and reduce congestion. Permit schemes are already implemented at many HWRCs across the country local examples being Cornwall & Bristol while Devon County impose other access restrictions and charging for certain wastes. It is therefore proposed that the Council adopt the following control measures: -
 - Extension of the van permit scheme to include trailers;
 - One permit will be issued per household for either a van or a trailer;
 - The number of visits per permit will be limited to:-
 - 12 visits per annum for a small van <u>or</u> small trailer below 1.8 metres (6ft) length (Small van eg. Ford fiesta, Vauxhall Corsa, Citroen Berlingo)
 - 6 visits per annum for large van <u>or</u> large trailer from 1.8 metres (6ft) to 3 metres (10ft) in length (Large van eg Ford Transit, Vauxhall Movano,

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in

Transporter); and

- Ban on trailers over 3 metres (10ft)
- 3.2.6 The permit scheme will be extended to Weston Mill HWRC to cover trailer usage but the van ban at the centre will remain in force.
- 3.2.7 Incorporation of the above control measures are estimated to provide net waste disposal savings of around £11k although this could be greater depending on the level of existing misuse.

3.3 Option 3 – Construction & Demolition (C&D) Waste.

Current waste acceptance criteria for soil and rubble

3.3.1 A general review of HWRC waste acceptance policies locally and nationally shows that the Council is one of the few authorities in the southwest (and indeed nationally) that has not adopted stricter controls at HWRCs for the acceptance of

- construction and demolition wastes for which there is no statutory obligations to accept.
- 3.3.2 Analysis and monitoring of non-statutory waste arisings show that the Plymouth's HWRCs are receiving a high tonnage of soil and rubble (approx 8,600 tonnes per annum) which is in turn costing Plymouth's Council Tax payers to dispose of.

Proposed soil and rubble restrictions implementation from April 2013

- 3.3.3 To avoid unnecessary and unreasonable costs associated with soil and rubble that maybe originating from excessive and unauthorised usage such as from trade sources, it is proposed to limit to the amount accepted in the future at Plymouth's HWRCs as follows:-
 - Car users will have to show evidence of residing in Plymouth on each visit
 - Permit holders will be limited to the number of visits that can be apportioned to soil and rubble in a 12 month period. Changes will be integrated into the revised van/trailer permit scheme (see section 3.2.5 above)
 - Small van or small trailer Max 3 visits to deposit soil and rubble of the 12 visits allocated over a 12 month period
 - Large van or large trailer Max I visit to deposit soil and rubble of the 6 visits allocated over a 12 month period.
 - Residents wishing to deposit large amounts of soil and rubble or having exceeded their permit allowance will be able to deposit soil and rubble for a charge per tonne based on the current disposal rate, at present £12/tonne.
- 3.3.4 Incorporation of the above waste acceptance control measures are estimated to provide net waste disposal savings of around £10k through reduced receipt and disposal of soil and rubble tonnage.

CALL-IN REQUEST FORM



_			
	Decision to be called in	teurs and waste Acceptance Criteria	
	Decision made by:	□ The Cabinet or	
1.0	(Delete the choices which do not	A Cabinet Member or	
apply)		□ Executive decision made under joint arrangements	
1	Date decision was made	22 March 2013.	
	Are you calling the decision in	Yes/Mo	
Framework		(If Yes, state the reasons why you believe it to be outside the Budget or Policy Framework in the reasons section below)	
R	leasons for the Call-In		
0	he reason for call in must fall within ne or more of the following ategories:	 No consultation has taken place with the users; 	
	The process by which the decision was made was deficient in some way. e.g. did the decision maker neglect to consult people who should have been consulted?	 The reduction in opening hours would encourage fly tipping whilst this was on the increase; 	
0	The decision maker failed to consider alternative courses of action	Reduced recycling was against Council policy;	
	The decision taker failed to take into account relevant factors	4. The reduction in the opening hours would	
	The decision was wrong in law or fact— the call in form must state why	limit working families in using the facilities.	

To be valid **THREE** Councillors must support the request. All three Councillors should sign the form *OR* all three Councillors should e mail the Democratic Support Section (democratic.support@plymouth.gov.uk) expressing their support for the call-in. In this case, the form should be completed and attached to all of the e-mails.

cont

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Signatures of THREE Councillors:

Name	Signature
1. Gh Richael KERVEI	(Jeans
2. N. CHURCHILL	m
3. MARTIN LEAVES	
Contact Details:	
Name of councillor to be contacted if there are any difficulties or questions.	

Notice of call-in for non-urgent decisions -

- (i) must be received in the Democratic Support Unit by 4.30 p.m. on the fifth working day after Councillors have been notified that the decision has been made;
- (ii) can be submitted to the Democratic Support Unit or by using the on-line form which should be e-mailed to democratic.support@plymouth.gov.uk