

<p align="center">London Borough of Hammersmith & Fulham</p> <p>Community Safety, Environment and Residents Services Policy and Accountability Committee</p> <p>18th January 2016</p>	
<p>FUTURE WASTE AND STREET CLEANSING SERVICES – INVOLVING THE CITIZEN – CONSULTATION OUTCOMES</p>	
<p>Report of the Director for Cleaner, Greener and Cultural Services</p>	
<p>Open Report</p>	
<p>Classification: For PAC Review & Comment</p>	
<p>Key Decision: No</p>	
<p>Wards Affected: All</p>	
<p>Accountable Director: (Sue Harris, Director for Cleaner, Greener & Cultural Services, Environment, Leisure, and Residents' Services)</p>	
<p>Report Author: Kathy May Head of Waste and Street Enforcement</p> <p>Lesley Gates Contract Monitoring and Enforcement Area Manager</p>	<p>Contact Details: Tel: 020 7341 5616 E-mail: kathy.may@rbkc.gov.uk</p>

1. EXECUTIVE SUMMARY

- 1.1 A report to this Committee on 21 September set out proposals to consult with residents about waste collection and street cleansing service provision. The aim was to consult with residents and to discuss their views on service delivery and the ways in which the council could deliver significant financial savings over the next three years, whilst continuing to provide quality services. As a result, a waste, recycling and street cleansing consultation was established online. It should be noted that the scenarios in the consultation are not currently factored in as Council policy or service changes, but have been consulted with the public so as to gauge their view in case options need to be explored in the future.
- 1.2 The consultation was open for 40 days, a slightly reduced timescale due to misleading publicity that led to early closure of the survey.
- 1.3 Headline results from 654 respondents included:
- 90% of respondents satisfied with their waste collections
 - 80% of respondents are happy with collection frequency
 - 46% of respondents are 'fairly satisfied or above' with the cleanliness of their street
 - 30% are dissatisfied with their local street scene; dog fouling and litter are seen as the two biggest concerns

- 85% of respondents would support authorised officers in issuing Fixed Penalty Notices (FPNs) to those who drop litter
- 60% would rather the council remove dumping with no investigation so as to achieve quicker clearance
- 97% of respondents stated that they recycle
- More recycling bins, fines for those who do not recycle, and improved education on recycling were the most popular suggestions as to how the Council could enable and encourage residents to recycle more.
- The profile of the respondents do not necessarily reflect the audience requiring the highest level of engagement from the Council, both to reduce recycling contamination and dumping, and increase recycling. Further thought will be given to how officers can communicate with these hard-to-reach, often transient, groups.

1.4 Action plans are in place and continue to be developed to tackle these issues.

1.5 In November, there were 500 reports of dumping of which 358 were investigated. 264 actions were taken which resulted in 9 FPNs and 2 prosecutions.

1.6 On Lakeside Road specifically, there have been 44 investigations undertaken and four fixed penalty notices issued by officers.

2. RECOMMENDATIONS

2.1 That this report be noted and consideration given to the results of the consultation and how residents can assist the Council in reducing dumping and increasing recycling.

2.2 Members' views are requested on the actions listed in the table in Section 4.3.

3. BACKGROUND

3.1 The aim of the survey was to consult with residents and to discuss their views on service delivery and the ways in which the council could deliver significant financial savings over the next three years, whilst delivering quality services.

3.2 The consultation was carried out online through Citizen Space. The scope of the consultation was as follows:

Refuse & Recycling:	Street Cleansing:
Includes	
<ul style="list-style-type: none"> • Household waste and recycling kerbside collections • Second collections • Recycling sack delivery service 	<ul style="list-style-type: none"> • Litter collection • Clear all service • Rubbish dumping

3.3 The consultation took account of the following desired service outcomes:

- An increase in recycling levels and reduction in residual waste
- Maintaining resident satisfaction in waste and recycling above the London average
- Delivery of a service that provides a clean and safe area in which to live

- A customer focused service delivery model where data intelligence helps develop an effective front-line service
- Deliver service efficiencies to realise future financial savings

3.4 There were 654 responses, which is above the 0.5%-1.0% of household responses required by the consultation team (which is 550 responses) for 'meaningful' analysis.

3.5 The majority of respondents were long term residents (having lived in the borough for 11+ years) with 90% owning their home outright or with a mortgage. Respondents living in a house accounted for 75% of responses, with the remaining respondents living in flats (24%) or other (1%). It is of interest that the profile of the respondents do not necessarily reflect the audience requiring the highest level of engagement from the Council, both to reduce recycling contamination and dumping, and increase recycling. Further thought will be given to how officers can communicate with these hard-to-reach, often transient, groups.

3.6 When asked to rank potential service reductions in order of preference (from most preferred to least preferred) respondents indicated that, from the choices given, they would be most comfortable with a reduced frequency of Smart Sack deliveries, followed by once weekly road sweeping, rubbish dumps removed within one week (as opposed to within 48 hours), with a reduction to a borough wide once-weekly kerbside waste and recycling collection as the least popular option. It should be mentioned that, whilst annual sack deliveries was the most preferred change in service, earlier in the consultation around 70% of respondents said they were not in favour of annual deliveries. It should also be noted that the above scenarios are not currently factored in as potential service changes, but have been consulted with the public so as to gauge their view in case options need to be explored in the future.

3.7 A full copy of the consultation report is included in Appendix 1

4. ISSUES AND PROPOSALS

4.1 The consultation was open for 40 days, a slightly reduced timescale due to misleading publicity that led to early closure of the survey.

4.2 Maintaining weekly refuse and recycling collections, tackling dog fouling, littering, and quick removal of rubbish dumps were the key messages coming across from the survey results.

4.3 Action plans are in place and continue to be developed to tackle these issues. In summary, the key actions that are being implemented are summarised in the table below:

	PROPOSALS	ACTIONS	TARGET DATE
1	Look at legal responsibilities around waste storage and the feasibility of a levy.	Looking at what responsibilities Landlords, Letting Agents and Tenants have in safely storing and disposing of waste from rental properties. To check with legal. Checked with Environmental Health and any licensing of rented properties under the scheme is HMO Licencing, not Registration. Reports that Newham have extended the scheme to all rented properties are being	Nov-15

	PROPOSALS	ACTIONS	TARGET DATE
		investigated. This is covered in Part 2 of the Housing Act 2004, in particular Section 55-76 of that Act.	
2	Place leaflets in lobbies.	Revisiting to see if a new leaflet is available. Develop a new leaflet focused on education about waste presentation and bulky waste collection.	Jan-16
3	Check with Planning, Environmental Health and Housing over waste storage provision and landlords to provide black bags	Ongoing work with various Departments and sections to identify HMOs, RSLs and statutory obligations under legislation. Points of contact being established within each housing area. This is again a licensing issue of rented premises. The way to instruct landlords to provide black bags is to licence the premises, under Section 55-76 of the Housing Act 2004. This means that a property must be licensed under an HMO licence. LBHF licensing only covers properties with 5 or more people from more than 1 household over 3 floors. Officers are working with internal Housing colleagues, housing associations and private landlords to provide advice and improve waste presentation, as well as with Planning to ensure any changes take account of, and provide, adequate waste storage. A new advisory letter is being developed and will be distributed in January 2016 to households where waste presentation is an issue. Officers will pass these letters onto to colleagues in Housing, for Council tenants and to Private Sector Housing with regards HMOs, to distribute to key premises. Officers are also looking at this Council's standard tenancy agreements and have identified several areas where waste presentation and dumping feature with regards to tenants' behaviour and potential breach of the agreement.	Nov-15
4	Look at increasing the fly tip message through estate agents, cleaners and childminders	To focus on council tax given that estate agents are not the last point of contact for residents.	Apr-16
5	Check position regarding Resource London project on waste storage.	LBHF Planning has confirmed they will discuss waste matters with applicants and where appropriate seek facilities within schemes using development management powers, such as planning conditions attached to planning consents. To help, the council has adopted additional planning guidance on the storage of refuse and recyclables which supplements the development plan policies. This guidance looks at a variety of issues, including external and internal storage, and is included in the council's Planning Guidance Supplementary Planning Document. The emerging Local Plan continues to include policies on sustainable waste management and will be supported by a revised Planning Guidance SPD where necessary. The next public consultation on the Local Plan will be in the New Year.	Ongoing

	PROPOSALS	ACTIONS	TARGET DATE
6	Revisit collection day signage. Request for signage used in RBKC.	Previously used one sided signs and replaced with tri-fold to attract attention. RBKC signage sent to communications section and awaiting redesigned draft	Jan-16
7	Review weekend enforcement	Currently recruiting agency staff to work on night time enforcement. On target to commence in January which will indicate potential future options for the Council.	Jan-16
8	Utilise the 'Gold Standard' option	The Gold Standard relates to the condition of properties let by private Landlords. For example, double glazing, decent carpets, up to date kitchen and bathrooms and tenant handbook. Waste specifically does not appear in this but there is an expectation for the property to have a clean and presentable exterior where waste presentation could be included. Officers will see if Private Housing officers can pursue this.	Jan-16
9	Produce sample leaflet/sticker to empower residents to issue, with a potential strapline "we live here too".	Stickers have been designed, approved and produced. Guidance letter, to accompany stickers on how they are to be used also produced. To be distributed first week of January (to avoid any complications arising from Christmas collection days).	Jan-16
10	Produce A-boards	A-board signage to alert flytippers has been installed on Lakeside Road. Initial indications are that there has been no flytipping in front of the signs.	Dec-15
11	Use CCTV in hotspots	Officers to produce information about use of CCTV. Second CCTV camera now installed on Lakeside Road and images are reviewed by enforcement officers.	Nov-15
12	Include dumping information in Council tax.	Officers have previously included this and are arranging for a revised version. This is to capture transient population. Communications team advised of requirement, and to include in Council tax documentation. This was included in March 2015 and will be distributed again in March 2016.	Mar-15 and Mar-16
13	Members lobby Mayor of London to issue a message around dumping	Officers to prepare briefing note.	Jan-16
14	Educate via schools	Check with WRWA if rubbish dumping and littering messages are included in work with schools. Officers to check if Groundwork London assists with education in schools about rubbish issues.	Jan-16
15	Requested to use sponsorship to help with costs	Revisit the option of sponsored recycling sacks. Liaising with Commercial waste team to see if this is something they would do.	Apr-16

	PROPOSALS	ACTIONS	TARGET DATE
16	Find out about the registration of landlord's scheme and how waste management could be included.	See no. 3 above. Any licensing of rented properties comes under the HMO Licencing Scheme. Newham have extended the scheme to all rented properties. This is covered in Section 55-76 of Part 2 of the Housing Act 2004. This means that a property must be licensed under an HMO licence, which is different to what currently operates in LBHF (see 3 above).	Dec-15
17	Use of Covert Monitoring Operations	Officers investigating the feasibility of conducting covert operations due to the sensitivities which surround this.	Feb-16
18	Issue Sec 87. notices to be issued	Sec. 46 notices issued in July but the legislation has since been revoked. Best practice is to serve fresh notices every six months. Sec 87 notices being drafted for issuing in January.	Jan-16

4.4 It is worth noting that a new national strategy to tackle litter is due to be published this year as part of a coordinated attempt to clean up the country. At the moment, Fixed Penalty Notice fines to discharge liability (FPNs) for littering are set locally by councils and range from £50 to £80, with a default level of £75 if the council does not specifically set its own amount. The level of fine currently applied in LBHF is £80. The consultation from the Department for Communities and Local Government will recommend higher FPNs of up to £150. The minimum fine could also double from £50 to £100. Officers are currently researching the degree to which this could help with rubbish dumping, as littering legislation is generally only used for small items of litter, but can potentially be used for up to one bag of waste.

5. CONSULTATION

5.1 Details of the consultation process have been highlighted above.

6. LEGAL IMPLICATIONS

6.1 There are no direct legal implications for the purposes of this report. In so far as citizen proposals set out in the table at paragraph 4.3 raise legal issues these are addressed in the "Actions" column.

6.2 Implications completed by Kevin Beale, Principal Social Care Lawyer, LBHF Telephone 0208 753 2740.

7. FINANCIAL AND RESOURCES IMPLICATIONS

7.1. There are no financial implications as a direct result of seeking residents views on the delivery of waste collection and street cleansing services. Costs associated with the actions being progressed under section 4.3 (notably the production and distribution of promotional and educational material) are being funded from existing revenue budgets. Additional enforcement is being trialled and is being funded by one off waste disposal underspends this year. Subject to the success of the trail, permanent funding may be requested at a later date.

7.2. Any changes to fees and charges will need to be agreed by the lead Cabinet Member.

7.3. Implications completed by Kellie Gooch, Head of Finance. Telephone 0208 753 2203.

8. IMPLICATIONS FOR BUSINESS

8.1 In terms of trying to tackle dumped rubbish, this issue is not confined to domestic properties. There will be increased focus on tackling unpaid-for dumped commercial waste. This is because the Environmental Protection Act 1990 requires businesses to pay to dispose of their waste through a licenced waste carrier. Many businesses comply with this legislative requirement. However some do not, and the tax payer ends up paying instead, as this element of the waste stream is collected by the Council's contractor and the Council pays for its disposal. Officers are in the process of engaging with businesses to let them know that there will be increased focus in this area. This gives businesses a chance to arrange the appropriate agreement with a company of their choice prior to potential enforcement action.

LOCAL GOVERNMENT ACT 2000 **LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT**

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	N/A		

LIST OF APPENDICES:

Appendix 1 – Consultation responses