

Agenda



AGENDA for a meeting of the COMMUNITY SAFETY AND WASTE MANAGEMENT CABINET PANEL in COMMITTEE ROOM B at County Hall, Hertford on TUESDAY 13 MARCH 2018 at 10:00AM

MEMBERS OF THE PANEL (12) (Quorum 3)

S N Bloxham; M Bright; M A Eames-Petersen; S J Featherstone; J S Hale; F R G Hill; T W Hone (*Chairman*); P V Mason; T J Williams; C B Woodward (*Vice Chairman*); J F Wyllie; P M Zukowskyj

Meetings of the Cabinet Panel are open to the public (this includes the press) and attendance is welcomed. However, there may be occasions when the public are excluded from the meeting for particular items of business. Any such items are taken at the end of the public part of the meeting and are listed under "Part II ('closed') agenda".

Committee Room B is fitted with an audio system to assist those with hearing impairment. Anyone who wishes to use this should contact main (front) reception.

Members are reminded that all equalities implications and equalities impact assessments undertaken in relation to any matter on this agenda must be rigorously considered prior to any decision being reached on that matter.

Members are reminded that:

- (1) if they consider that they have a Disclosable Pecuniary Interest in any matter to be considered at the meeting they must declare that interest and must not participate in or vote on that matter unless a dispensation has been granted by the Standards Committee;**
- (2) if they consider that they have a Declarable Interest (as defined in paragraph 5.3 of the Code of Conduct for Members) in any matter to be considered at the meeting they must declare the existence and nature of that interest. If a member has a Declarable Interest they should consider whether they should participate in consideration of the matter and vote on it.**

PART I (PUBLIC) AGENDA

1. MINUTES

To agree the Minutes of the Community Safety and Waste Management Cabinet Panel meeting held on 8 February 2018.

2. PUBLIC PETITIONS

The opportunity for any member of the public, being resident in Hertfordshire, to present a petition relating to a matter with which the Council is concerned, which is relevant to the remit of this Cabinet Panel and which contains signatories who are either resident in or who work in Hertfordshire.

Members of the public who are considering raising an issue of concern via a petition are advised to contact their [local member of the Council](#). The Council's criterion and arrangements for the receipt of petitions are set out in [Annex 22 - Petitions Scheme](#) of the Constitution.

If you have any queries about the petitions procedure for this meeting please contact Elaine Manzi, by telephone on (01992) 588062 or by e-mail to elaine.manzi@hertfordshire.gov.uk.

At the time of the publication of this agenda no notices of petitions have been received.

3. HERTFORDSHIRE POLICE AND CRIME COMMISSIONER UPDATE REPORT

Report of the Police and Crime Commissioner for Hertfordshire

Members may ask questions of the Police and Crime Commissioner for such period of time as the Panel Chairman may reasonably decide.

4. POLICE AND CRIME PANEL UPDATE

Verbal Report of the Police and Crime Panel Representative

a) The Council's representative on the Police and Crime Panel (PCP) C B Woodward to verbally report on the business of the PCP.

<http://www.hertspcp.org.uk/SitePages/Meetings.aspx>

b) Members of the Panel may ask questions to the PCP Representative thereon for such period of time as the Panel Chairman may reasonably decide.

5. PROVISION OF A SUSTAINABLE HOUSEHOLD WASTE RECYCLING CENTRE NETWORK

Report of the Chief Executive & Director of Environment

6. OTHER PART I BUSINESS

Such Part I (public) business which, if the Chairman agrees, is of sufficient urgency to warrant consideration.

PART II ('CLOSED') AGENDA

EXCLUSION OF PRESS AND PUBLIC

There are no items of Part II business on this agenda. If Part II business is notified the Chairman will move:-

“That under Section 100(A) (4) of the Local Government Act 1972, the press and public be excluded 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 to the said Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

If you require further information about this agenda please contact Elaine Manzi, Democratic Services, on telephone no. (01992) 588062 or email elaine.manzi@hertfordshire.gov.uk.

Agenda documents are also available on the internet at:
<https://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings.aspx>

**KATHRYN PETTITT
CHIEF LEGAL OFFICER**

Minutes



To: All Members of the Community Safety & Waste Management Cabinet Panel, Chief Executive, Chief Officers, All officers named for 'actions'

From: Legal, Democratic & Statutory Services
Ask for: Elaine Manzi
Ext: 28062

COMMUNITY SAFETY & WASTE MANAGEMENT CABINET PANEL THURSDAY 8 FEBRUARY 2018

ATTENDANCE

MEMBERS OF THE PANEL

S N Bloxham; M A Eames-Peterson; S J Featherstone; J S Hale; D J Hewitt (*substituting for F R G Hill*); T W Hone (*Chairman*); P V Mason; R H Smith (*substituting for M Bright*); T J Williams; J F Wyllie; C B Woodward (*Vice Chairman*); P M Zukowskyj

OTHER MEMBERS IN ATTENDANCE

Upon consideration of the agenda for the Community Safety & Waste Management meeting on 8 February 2018 as circulated, copy annexed, conclusions were reached and are recorded below:

Note: No conflicts of interest were declared by any member of the Cabinet Panel in relation to the matters on which conclusions were reached at this meeting.

PART I ('OPEN') BUSINESS

1. MINUTES

1.1 The Minutes of the Cabinet Panel meeting held on 8 November 2017 were confirmed as a correct record and signed by the Chairman subject to the following amendments proposed by P M Zukowskyj which were agreed by the Panel:

1. Point 4.4: **Deletion** of the sentence 'but the Police and Crime Panel had felt that this was a legitimate tool to communicate the matter. **Replaced** with 'It was unclear what the view of the Police and Crime Panel was as it had not met since the issue had been raised.'
2. Point 4.5: **Deletion** of the sentence 'An increase in daily 999 calls and 101 calls from further to increasing concerns following the recent terrorist attacks.'

3. Point 4.5. **Deletion** of the sentence ‘This had led to the training and recruitment of 30 additional staff to manage the calls.’ **Replaced** with ‘The roles of these staff were not provided to the panel, although it was known they were not police officers. Clarity of their roles was requested for a future update’

2. PUBLIC PETITIONS

2.1 There were no public petitions received.

3. HERTFORDSHIRE POLICE & CRIME COMMISSIONER UPDATE REPORT

Officer Contact: Debbie Barker Senior Partnerships and Commissioning Manager, OPCC [01707 806157]

3.1 Members received the Police & Crime Commissioner report detailing the update in activity undertaken by the Office of the Police & Crime Commissioner (OPCC) since the last meeting of the panel.

3.2 In response to a Member challenge, it was explained that 35 new local neighbourhood policing officer posts had been created from the funding received through the increase in the police precept and reallocating currently vacant posts in tri-force teams. In addition, more staff will be recruited for the force control room to respond to the increased demand from the public.

3.3 During discussion Members learnt that for future budgets there was currently a predicted gap with respect to what would be received and what would be able to be achieved through additional income and additional savings. Members received assurance that to date there had not been a notable reduction in the number of officers, as in 2013 there had been 1,953 and in 2017 there had been 1,952 officers in post.

3.4 This statement was strongly disputed by a P M Zukowskyj who challenged that the figure quoted by the Police & Crime Commissioner (PCC) conflicted with the figure quoted within Home Office statistics. It was queried whether the PCC's figure included such roles as back office staff, management, and PCSO's.

3.5 Further to robust discussion and debate, it was concluded that it would be beneficial for the Member in question to meet with the PCC outside of the meeting in order for the matter to be discussed in more detail.

David Lloyd/
P M
Zukowskyj

**CHAIRMAN'S
INITIALS**

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| 3.6 | In response to a Member question as to whether the increase in staff numbers would lead to more crimes being investigated, as it was noted that there had been an increase in crimes reported, it was explained that the increase could be partially due to the fact that historically not all minor crimes had been logged onto the police's crime system, although they had all been investigated by officers. Assurance was received that more officers would inevitably mean more input into resolving crimes. | |
| 3.7 | During discussion, the issue of the role of Police Community Support Officers (PCSO's) was raised by Members and in response to queries as to whether PCSO resource could be utilised to combat the issue of speeding within the districts. The Police & Crime Commissioner (PCC) stated that he welcomed the input of Members of the Panel in developing the future shape of the police force and invited them to be more participatory in doing so however the panel were advised that this was not deemed to be a priority issue, and it was hoped that this would become a lessening problem in the future due to technological advances in the development of cars which would be able to standardise speed levels. The PCC also confirmed that he also welcomed any initiative from private business in the efforts to reduce criminal activity. | |
| 3.8 | In response to a Member query as to whom the best person within the force for Members to contact would be to provide Member input, it was suggested that Members should contact the Chief Inspector for their local district or borough in the first instance. | All Members |
| 3.9 | The panel were briefed on the challenges of recruiting young people to the Stop and Search Panel, and Members were asked to promote this within their districts in order to encourage participation. | All Members |
| 3.10 | In response to a Member observation regarding the comments made by the Chief Constable of Bedfordshire regarding the challenges he was facing in tackling crime within the county, Members received assurance that as a county, Hertfordshire were not facing the same level of challenge and nationally had relatively low recorded criminal activity. Further assurance was received that although Bedfordshire were a member of the triform arrangement with Hertfordshire and Cambridgeshire, this was a collaboration that was regularly reviewed to ensure that it remained an efficient and effective partnership. | |
| 3.11 | In discussion regarding the mental health street triage scheme, it was confirmed that there were two vehicles with mental health clinicians available within the county between 9am-4am daily, as it was between these hours that the incidents of mental health crisis mainly occurred. It was further established that officers had received training to assist in the recognition and management of members of the public presenting with mental health symptoms. | |

**CHAIRMAN'S
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Conclusion:

- 3.12 The report of the Police and Crime Commissioner for Hertfordshire was noted by Members.

4. POLICE & CRIME PANEL UPDATE

Cllr Colin Woodward – Vice-Chairman of the Community Safety and Waste Management Cabinet Panel and Police & Crime Panel Representative

- 4.1 Members received a verbal update on the work of the Hertfordshire Police & Crime Panel.
- 4.2 The panel were advised that the key issue of discussion for recent meetings the panel had been the Police & Crime Commissioner’s Budget which after questioning by the PCP and members of the public was approved. It was explained that as well as a formal meeting, members of the Police and Crime Panel had also attended a budget training day.
- 4.3 The full minutes of the formal meeting can be found here:
<http://www.hertspcp.org.uk/SitePages/Meetings.aspx>
- 4.4 Members of the PCP were pleased to note that the Office of the Police & Crime Commissioner had made significant efforts to engage the public with the consultation on the budget, and had received a total of 370 responses to the consultation. Most of which were supportive.

Conclusion:

- 4.5 The verbal update from the Police & Crime Commissioner was noted by the Panel.

5. COMMUNITY SAFETY & WASTE MANAGEMENT INTEGRATED PLAN 2018/19 - 2021/22

Officer Contact:

Author(s):

Guy Pratt, Deputy Director Community Protection (Tel: 07770 880406)
Lindsey McLeod, Head of Corporate Finance (01992 556431)

- 5.1 **Notification of a Declarable Interest:** PV Mason declared that he was a member of the Ratty’s Lane Action Group. No vote was undertaken on the agenda item and Cllr Mason was permitted to participate in the debate.

CHAIRMAN’S INITIALS

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Prior to the report being discussed, the Chairman made the following announcement:

'All Members who have a disclosable pecuniary interest arising from an allowance from the County Council, another local authority in Hertfordshire, or a body to whom they have been appointed by the County Council, have received a dispensation to allow them to participate in debate and vote on the Integrated Plan.

All Members have been granted a dispensation to participate in debate and vote in any business of the County Council relating to setting the council tax or precept when they would otherwise be prevented from doing so in consequence of having a beneficial interest in land which is within the administrative area of Hertfordshire or a licence (alone or jointly) to occupy such land.'

- 5.2 Members were presented with a brief overview of the full structure and detail of the council's Integrated Plan for 2018/19 -2021/2 (IP Plan) pertaining to the area of Community Safety & Waste Management.
- 5.3 Members were reminded that the Overview & Scrutiny Committee had undertaken a full day session looking at the Integrated Plan on 24 January 2018 where Executive Members and officers had answered questions from scrutiny groups. A report containing observations and recommendations from the scrutiny groups was considered by the Overview and Scrutiny Committee on 1 February 2018.
- 5.4 It was explained that the Integrated Plan (IP) would be considered by Cabinet on 19 February before being finalised at County Council on 20 February 2018.
- 5.5 It was further explained to the Panel that the purpose of the report for panel was for Members of the Panel comment on the IP in relation Community Safety & Waste Management and to identify any issues that it felt the Cabinet should consider in finalising the Integrated Plan proposals.
- 5.6 Member's attention was firstly drawn to the shorter of the two reports (document 4(i)) which set out the actions that the council has carried out to engage and consult with the public and partners.
- 5.7 Members noted that on page 5 of the report, which detailed the responses to a public questionnaire, that in a choice between service reductions and further council tax increases, 56% of respondents said that they would rather see an increase in council tax and 32% a reduction in services. It was noted that the graph at the top of page 4

**CHAIRMAN'S
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illustrated that the percentage of respondents supporting a reduction in expenditure on disposing of the council's waste was 26% (a reduction on the 28% last year and the 33% and 39% in previous years) while those supporting a reduction in expenditure on community protection was 17% (a reduction on the 22% last year and the 26% and 27% in previous years).

- 5.8 Members were then invited to consider the proposed Integrated Plan for Community Safety & Waste Management detailed on page 63 and 64 of the main report (document 4ii). It was noted that this contained the following elements; Key Priorities (pages 65 & 66); Key Pressures and Challenges (pages 66 to 70); Key Projects and Programmes (pages 70 to 72); Key Savings (page 72); how the departments have reviewed effectiveness and value for money (pages 73 to 75); and Risks in delivering projects (page 76).
- 5.9 The Panel noted the changes to the revenue budget were set out on pages 77 and 78. It was explained to Members that Service Specific Inflation was calculated to add £400,000 per year; Pressures add £2m in 2018/19 rising to £4m in 2021/22; while ongoing savings of £1.4m have been identified increasing to just under £2m in 2018/19. The total budgets for the services that make up the portfolio (page 80) totalling £78.8m in 2018/19 rising to £81.5m in 2021/22 and the capital programme Pages (81-87) for Community Safety & Waste Management to £30.5m over the four years of the plan were also noted by Members.
- 5.10 Members discussed the potential impact on the budget plans of the notification of a call in by the Secretary of State regarding the proposed development of an Energy Recovery Facility (ERF) at Ratty's Lane Hoddesdon, by Veolia (ES) Hertfordshire Limited. The panel noted that the Secretary of State's decision would add many months of delay to the project, but that, within the current IP period there are no immediate budget implications.
- 5.11 In answer to a question of what plans are in place if the ERF is not granted planning permission the Panel received assurance that arrangements had been secured for disposing of residual waste until March 2021 and contingency plans had already been considered. It was noted that the lack of a long term in county treatment solution would most likely mean out of county disposal routes would be necessary and that this would be contrary to the proximity principle for disposing of waste close to where it's generated. It was agreed that the concerns of the Panel should be highlighted to Cabinet when making its final decisions in relation to the budget.
- 5.12 Members also raised concerns regarding the potential impact on the budget plans presented by the final decision not yet being announced by the Home Secretary regarding the potential transfer of governance of Hertfordshire Fire & Rescue Service from Hertfordshire County

Terry Hone

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Council to the Office of the Police & Crime Commissioner for Hertfordshire.

5.13 The panel were advised that a number of other local authorities were also experiencing delay in the decision regarding the transfer of governance within their own authorities, and as a result, discussions had taken place with the Local Government Association with a view to making a joint representation to the Home Office to outline the impact the delay in the decision being made was having on effective future planning.

5.14 Members agreed that risk to the budget plan regarding the delay in decision by the Home Secretary regarding the transfer of governance of Hertfordshire Fire & Rescue Service from Hertfordshire County Council to the Office of the Police & Crime Commissioner for Hertfordshire should also be brought to the attention of Cabinet when making its final decisions in relation to the budget.

Terry Hone

Conclusion:

5.15 The Panel provided comment to Cabinet on the proposal relating to the Integrated Plan in respect of the Community Safety & Waste Management Portfolio. The Panel also identified any issues that it felt that the Cabinet should consider in finalising the Integrated Plan proposals. These are outlined in the preceding text.

6. COMMUNITY PROTECTION MID-YEAR PERFORMANCE REPORT 2017/18

Officer Contact:

Jon Smith, Area Commander, Performance & Business Support, Community Protection (Tel: 01992 587510)

6.1 Members received the Community Protection Mid Year Performance Report for 2017/18 providing an overview of where the directorate was performing well and highlighting areas for further investigation or action.

6.2 The panel discussed the detail with in the report, and in response to a member query it was confirmed that sickness records injuries sustained to officers both on and off duty. It was agreed that Members would be provided with a more detailed breakdown of the sickness statistics in order for them to undertake more informed analysis.

Jon
Smith/Guy
Pratt

6.3 Officers also agreed to provide further detail on the number of people who had undertaken the Customer Satisfaction Survey for Joint Protective Services, in order to provide Members with a better understanding of the statistics provided.

Jon
Smith/Guy
Pratt

**CHAIRMAN'S
INITIALS**

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- 6.4 In response to Member concern regarding the low number of people volunteering to work in Trading Standards, it was advised that volunteering to work with the Fire & Rescue Service was more popular, but efforts were continuing to promote recruitment.
- 6.5 Members were advised that Trading Standards teams were very active in the community, and held regular awareness raising events in organisations such as banks or building societies to reduce the risk of members of the public being supped by rogue traders.
- 6.6 It was also confirmed that the Local Intervention Fire Education (LIFE) scheme was also continuing, although this had not specifically been mentioned in the report.
- 6.7 Members also noted the challenges surrounding the recruitment of retained firefighters, and were advised that campaigns were ongoing to try to increase the numbers.
- 6.8 The Panel discussed the number of recorded fire deaths within the county, and were pleased to note that increased focus was being placed on the fire protection teams working with residential care homes to minimise the risk of fires occurring, given the two recent fires in local care homes.

CONCLUSION:

- 6.9 The Community Protection Mid-Year Performance Report for 2017/18 was noted by the Panel.

7. HERTFORDSHIRE WASTE PARTNERSHIP ANNUAL REPORT

Officer Contact: James Holt, Waste Manager - Contract Development Tel: 01992 556318

- 7.1 Members were presented with the Hertfordshire Waste Partnership (HWP) Annual Report, which presented an overview of the work of the Partnership including the County's 10 boroughs and districts as well as the county council.
- 7.2 Members were pleased to note that the recycling rate had improved from 50.4% in 2015/16 to 52.2% in 2016/17.
- 7.3 Members were encouraged to present the report to their own district councils in order to raise awareness and encourage initiatives to improve recycling in districts.

All Members

**CHAIRMAN'S
INITIALS**

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7.4 Members noted the high level of successful recycling at St Albans District Council.

CONCLUSION:

7.5 The Hertfordshire Waste Partnership Annual Report was noted by Members.

8. WASTE MANAGEMENT PERFORMANCE INDICATOR UPDATE

Officer Contact: James Holt, Waste Manager Contract Development (Tel: 01992 556318)

8.1 Members were presented with an updated set of waste performance indicators, further to Members agreement on the details of the indicators at the Community Safety & Waste Management Cabinet Panel on 8 November 2017.

8.2 Further to Member concerns regarding the impact of the decision by the Chinese authorities to ban imported waste it was confirmed that it is having a minimal impact on recycling in Hertfordshire at this current time.

8.3 The panel discussed the high level of media awareness on the issues associated with the dumping of plastics in the world's oceans and it was confirmed by officers that the Herts Waste Partnership had plans in place to focus on communication on the management of plastics by residents as part of the WasteAware work programme.

Simon
Aries/James
Holt

CONCLUSION:

8.4 The Waste Management Performance Indicator Update was noted by the panel.

9 FLY TIPPING IN HERTFORDSHIRE

Duncan Jones, Hertfordshire Waste Partnership, Partnership Development Manager & Chairman of the Hertfordshire Fly Tipping Group (Tel: 01992 556150/07769 682052)

9.1 The panel were presented with a report providing an update on the ongoing work being undertaken to tackle fly-tipping within the county.

9.2 Members noted that grant funding had been secured by the Herts Fly Tipping Group from the Office of the Police & Crime Commissioner which had in turn been used to support a range of projects to tackle fly-tipping and asked for further information and requested further detail as

Duncan
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n Aries

**CHAIRMAN'S
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to how successful this had been.

9.3 Further to a Member request it was agreed that officers would circulate to the Panel further details of the flytipping statistics for each of the individual districts, in order for the panel to undertake more detailed analysis of the figures underpinning the report.

Duncan
Jones/Simon
Aries

9.4 During discussion it was noted that there was some confusion amongst the public with regards to the definition of flytipping and also whether the responsibility for flytipping lay with the district or county council. It was established that responsibility was dependent on a number of factors, but was primarily dependent on the location of where the flytipping had taken place. Members were reminded that a number of stakeholders were involved with the council with the Hertfordshire Fly Tipping Group, and that Highways England were also involved with discussions.

9.5 **CONCLUSION:**
Members noted the Fly tipping update.

10. OTHER PART I BUSINESS

HERTFORDSHIRE WASTE RECYCLING CENTRE THEFTS

10.1 The Chairman verbally informed Members that it had been brought to his attention that Hertfordshire Waste Recycling Centres (HWRC) across the county had be the victims of theft with seven containers of metal from different HWRC premises across the county being stolen in the last six months.

10.2 Members noted that to date this had cost the council's contractor £4.5k per container and had resulted in the HWRC's needing to be temporarily closed whilst repairs to the sites and investigations into the thefts taking place.

10.3 The panel were advised that ongoing police investigation had yet to yield any results with regards to catching the perpetrators.

KATHRYN PETTITT
CHIEF LEGAL OFFICER

CHAIRMAN _____

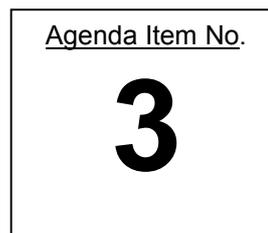
CHAIRMAN'S
INITIALS

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HERTFORDSHIRE COUNTY COUNCIL

**COMMUNITY SAFETY & WASTE MANAGEMENT
CABINET PANEL**

TUESDAY 13 MARCH 2018 at 10:00AM



**HERTFORDSHIRE POLICE AND CRIME COMMISSIONER UPDATE
REPORT**

Author: Charlotte McLeod, Head of Community Safety, Office of the Police
and Crime Commissioner (Tel: 01707 806185)

Executive Member:- Terry Hone, Community Safety and Waste Management

1. Purpose of report

1.1 To provide a brief update to the Panel about the current work of the
Police and Crime Commissioner.

2. Summary

2.1 Updates have been provided in relation to the following items:

- Police Precept
- Fly Tipping Group Award
- Commissioner's Action Fund
- Stop and Search Scrutiny Panel Public Meeting
- Beacon Film Festival
- Police and Crime Commissioner Transparency Award

3. Recommendation

3.1 For Panel to note the content of the report.

4. Updates

4.1 Information for Panel Members on the work of the Office of the Police
and Crime Commissioner since the last meeting of the Community
Safety and Waste Management Panel is detailed below:

4.1.1 **Police Precept**

Hertfordshire's Police and Crime Panel has approved a £1 a month increase on the average household's council tax to fund additional officers and more staff for the Constabulary. The money will be used to protect neighbourhood policing teams, investing in additional officers from the Operation Scorpion units to help tackle burglary, anti-social behaviour and drug-related crime.

Additional funding will also be placed into the Force Control Room, where 999 and 101 calls have risen dramatically since the terrorist attacks in Manchester and London.

Increased support for victims will be provided through the expansion of the Constabulary's victim services team and an enhanced Beacon Victim Care Centre, delivering greater and specialised support to victims. The full budget report presented to the Panel can be found here:

<http://www.hertspcp.org.uk/sites/default/files/meetings/papers/Item%208%20%28b%29%20PCP%20Precept%20Report.pdf>.

4.1.2 **Fly Tipping Group Award**

Hertfordshire's Fly Tipping Group – part of the Hertfordshire Waste Partnership – has won the Best Partnership Award at the Keep Britain Tidy Network Awards at this year's annual awards ceremony. The Fly Tipping Group is a multi-agency taskforce made up of Hertfordshire's local authorities, as well as the Office of the Police and Crime Commissioner, the Police, Hertfordshire Fire and Rescue, the Environment Agency and the National Farmers Union.

Since 2016/17 the Police and Crime Commissioner has been working with the Fly Tipping Group providing funding support for new initiatives to tackle fly tipping. These include a range of schemes from the installation of new covert cameras at fly tipping hotspots through to enhance training for frontline officers to improve the quality of enforcement action against fly tipping.

The Hertfordshire Fly Tipping Group was recognised for its work bringing together a wide range of partners to tackle fly tipping in the county. So far during 2017/18 the task force has overseen a reduction of over 19% in the number of fly tipping incidents reported across the county.

4.1.3 **Commissioner's Action Fund**

Hertfordshire's Police and Crime Commissioner is putting £150k of money recovered from criminals back into community projects which reduce crime. The fund, created from the proceeds of crime, enables local groups to find solutions to community safety problems.

Grants of up to £5,000 are available through the Police and Crime Commissioner's Action Fund, to support community and voluntary initiatives which tackle crime and make Hertfordshire a safer place to live. The fund is open to voluntary and community groups, charitable and not for profit organisations, Community Safety Partnerships and Parish, Town and District Councils. The Police and Crime Commissioner particularly wants to support innovative projects formed from local collaborations and partnerships and can make a lasting difference to communities in terms of safety and crime prevention.

One of the priorities of the Commissioner's plan is that crime does not pay. The Police and Crime Commissioner's Action Fund is made up from funds recovered under the Proceeds of Crime Act 2002 (POCA), created to tackle organised crime, giving police officers the power to seize cash and recover assets such as cars and houses bought by criminals through the proceeds of their crimes.

The fund is open for applications until March 30th 2018. Applications to the fund can be made through the Hertfordshire Community Foundation website: www.hertscf.org.uk/pcc-action-fund.

4.1.4 **Stop and Search Scrutiny Panel Public Meeting**

In March 2015, Hertfordshire's Police and Crime Commissioner set up an independent scrutiny panel made up of members of the community from across the county to undertake scrutiny of Hertfordshire's stop search practices. The panel is able to provide a voice for community concerns and help inform and influence police training and actions.

In February 2017, Commissioner David Lloyd welcomed a report from Her Majesty's Inspectorate of Constabulary (HMIC), which confirms Hertfordshire Constabulary is meeting the requirements of the Best Use of Stop and Search Scheme.

The Countywide Community Stop and Search Scrutiny Panel meet on a monthly basis to discuss, monitor and scrutinise how Hertfordshire Constabulary are carrying out Stop and Search. The panel undertake dip sampling (selecting records at random) of the Stop and Search forms in order to achieve greater transparency and involvement in the use of Stop and Search powers across Hertfordshire, and improve public confidence and trust in how the tactic is used. More recently the Panel have also begun to undertake scrutiny of body-worn camera footage.

The annual public meeting of the Stop and Search Panel is taking place on Thursday, 26 April 2018, at 9.30am-12.45pm at the University of Hertfordshire de Havilland Campus in Hatfield, AL10 9EU. If you would like to register for the event or for further information please contact Lydia Massey, Policy and Project Officer, OPCC: pccadmin@herts.pcc.pnn.gov.uk tel 01707 806100.

4.1.5 **Beacon Film Festival**

On Friday, February 9 2018, students from Oaklands College teamed up with Beacon – Hertfordshire’s victim care centre – for a second year to host the Beacon Film Festival, with an aim to bring awareness to victims of crime and highlight the services offered by Beacon.

Over 100 students aged 16+ from Oakland’s’ Business and Technology Education Council (BTEC) Creative Media and Foundation Degree courses produced the films, which were shown to an audience of 300 people. Some of the students even reflected on their own experience of being a victim of crime as the theme for their film. The winning films announced were; #MeToo from Level 3 students and Vicious Circle produced by Level 4 and 5.

The winners of the Level 4 and 5 category were awarded a grant of up to £1000 from the Police and Crime Commissioner to make a film about modern slavery. The film will be used to inform the public of how this crime impacts our communities and society. The judging panel included BBC Three Counties radio presenter, Roberto Perrone, Hertfordshire’s Police and Crime Commissioner, David Lloyd and Hertsmeire Councillor Prevez Choudhury.

Beacon was set up in 2015 as Hertfordshire's Victim Care Centre. Anyone who has been a victim of crime is entitled to free support through Beacon – irrespective of whether a crime has been reported to the Police. Beacon is a partnership organisation created by the Office of the Police and Crime Commissioner, the Constabulary and (currently) Victim Support staff.

4.1.6 Police and Crime Commissioner Transparency Award

The Hertfordshire Police and Crime Commissioner has received an award for transparency for the third year in a row. CoPaCC, an independent organisation which compares the work of Police and Crime Commissioners and shares best practice, has presented Hertfordshire Police and Crime Commissioner's office with its Transparency Quality Mark.

25 PCC offices received the award, which is given to those who are meeting and exceeding the statutory requirements of disclosing information to the public. David Lloyd's website contains a specific section for transparency, including details of decision making, finances and the workings of his office.

5. Financial Implications

- 5.1 There are no current direct financial implications arising from this report as its purpose is to provide an information update only.

6. Equalities Implications

- 6.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 6.2 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.

- 6.3 The Equality Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.
- 6.4 No EqlA was undertaken in relation to this report as it only provides a brief summary of wider work undertaken by the OPCC which in isolation has no direct equalities implications. The commitment of the OPCC to equalities throughout its work streams can be found here: <http://www.hertscommissioner.org/holding-me-to-account-overview#commitmenttoequality>

COUNTY COUNCIL

COMMUNITY SAFETY & WASTE MANAGEMENT CABINET PANEL

TUESDAY 13 MARCH 2018 AT 10:00AM

Agenda Item No.

5

PROVISION OF A SUSTAINABLE HOUSEHOLD WASTE RECYCLING CENTRE NETWORK

Report of the Chief Executive & Director of Environment

Executive Member: Terry Hone, Community Safety & Waste Management

Authors: Matthew King, Head of Waste Management & Environmental Resource Planning (Tel: 01992 556207) and Alexandra Radley, Senior Project Officer (Tel: 01992 556165)

1. Purpose of report

1.1 To present the Cabinet Panel with an overview of the current costs and pressures in the provision of Household Waste Recycling Centre (HWRC) network and set out a future vision for how a sustainable network may operate in a challenging financial climate and with increasing user expectations and demand.

2. Background

2.1 Household Waste Recycling Centres (HWRCs) are provided by Hertfordshire County Council as the Waste Disposal Authority (WDA) under Section 51 of the Environmental Protection Act 1990. It is a statutory requirement to provide places within the county for use by residents to dispose of their own household waste.

2.2 The county council currently provides a network of 17 HWRCs geographically spread over the county. The service is run on behalf of the authority by AmeyCespa (East) Limited ('Amey') who were awarded an 8 ½ year contract running until March 2023.

2.3 Following the introduction of efficiency and savings measures in January 2015, sixteen of the centres are open for five days a week. They operate for eight hours each day and during the summer two of these centres, Waterdale and Stevenage, are open for ten hours each day. The Buntingford HWRC operates for three hours every day of the week.

- 2.4 As a result of the service changes financial savings of £750,000 were delivered in 2015/16. Further savings under the Amey contract of £605,000 were delivered in 2017/18 associated with the sub-contractor haulage contract and contractual income levels for marketing recyclable material that were guaranteed at the time of tender.
- 2.5 Since the time of procurement in 2012, markets for the sale of material have been significantly affected by world economic conditions adding pressure to the viability of Amey's operation.
- 2.6 The council was approached by Amey in November 2017 who confirmed an intention to undertake operational changes in order to reduce its financial burden under the contract. Specifically, to align the operation of the van permit scheme to the position tendered, such that residents are not permitted to re-apply for a van permit in a 12 month period. The primary concern for their approach was concerns on the lack of incentive to perform above the contractual minimum baseline position for the diversion of 65% of all material received from the residual waste (e.g. disposal to landfill).

3. Recommendations

- 3.1 The Panel note Amey's intended cessation of re-applications in-year for the commercial vehicle and van permit scheme.
- 3.2 The Panel note that officers will work with Amey to introduce a better online digital platform for the van permit scheme, introducing the system as soon as possible and work with Amey to explore ways of expanding and improving a charged commercial waste offer at the HWRCs.
- 3.3 Panel note officers will work with Amey to introduce an amended residual waste incentive scheme that better protects the council's budgeted position and seeks to maintain high performance levels while not compromising contract regulations.
- 3.4 That Panel recommends to Cabinet which, if any, of the identified future saving and/or income generation options as outlined in Appendix 3 of this report should be taken forward and brought back to Panel with further detail and a suggested form of stakeholder consultation.

4. Summary

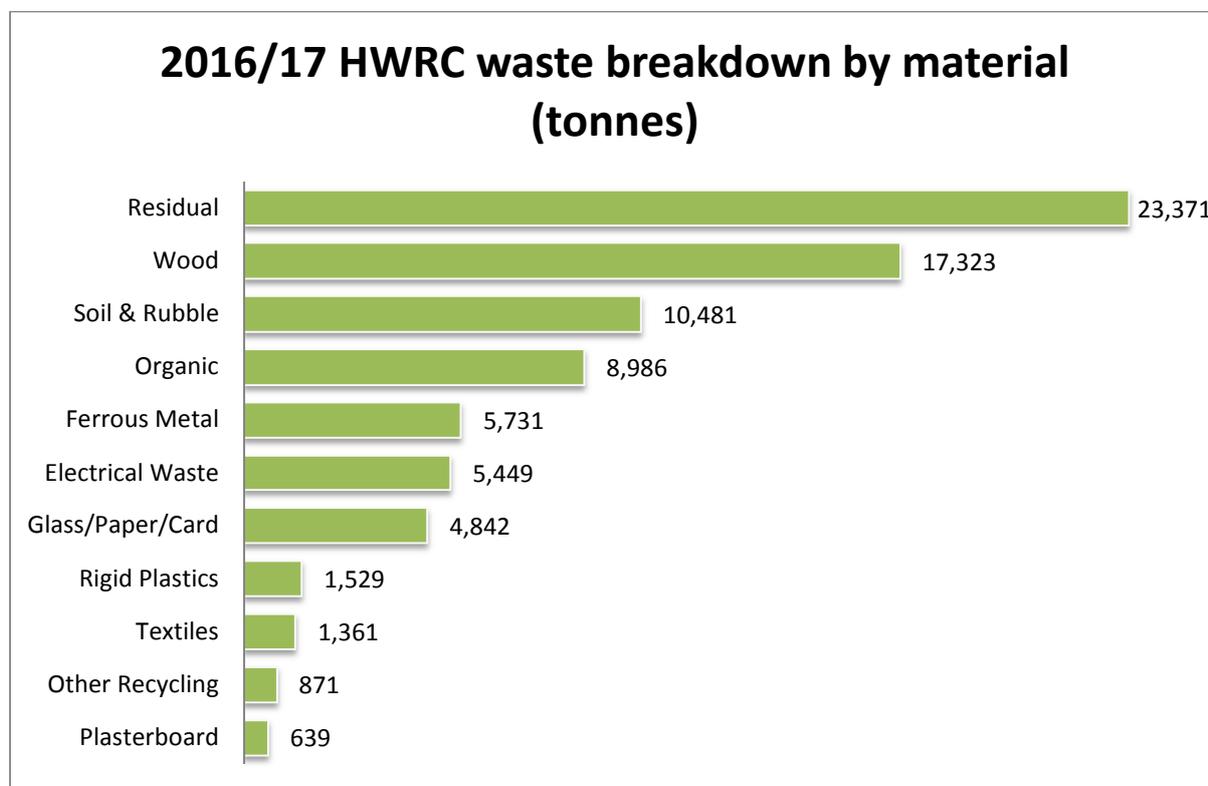
- 4.1 The HWRC contract with Amey is comparably high performing and low cost, however, increased pressure is being experienced by increased visitor numbers, aging facilities and market conditions that are proving a disincentive to the contractor which represents a risk to the council's budget position and service delivery.

- 4.2 In order to achieve a more sustainable HWRC network for the future, targeted savings and/or income options have been developed to both ease pressure on the council and provide a basis for the contractor to continue performing at a high level.
- 4.3 In developing these options, this report outlines the council's obligations under current legislation and explores the possibilities for the implementation of future policies that, for example, provide cost recovery in the same way as a district or borough council may seek to recover the costs of their garden waste collection services.

5. Context

- 5.1 The cost of the HWRC network in Hertfordshire in 2016/17 was £5,945,058:-
 - 5.1.1 Site operation, management & supervision by Amey – Includes the provision of staff, container servicing and haulage, site overheads, maintenance and guaranteed contractual income for management of all materials received at the centres (excluding residual waste) £3,643,941
 - 5.1.2 Disposal of residual waste (direct cost to the County Council)
£2,301,117
- 5.2 A 2016/17 survey conducted by the National Association of Waste Disposal Officers provided an indication of value for money against comparable, two-tier authorities and identified that the current council HWRC network offers excellent value for money when compared to other services.
- 5.3 The cost of providing the HWRC network in Hertfordshire is considerably less than average, at a cost of c. £350k per HWRC compared to the national average of c. £480k. Given that the HWRC network contains 17 centres this represents provision of a good service for c. £2.2m per annum less than the average cost of similar other authority service provision.
- 5.4 When considering the principal areas of pressure arising from waste delivered to the HWRCs, materials broadly fall into two categories; those that are received in large quantities (see Figure 1) and those whose value is important, be that because they can be income generating or because they represent a high cost of disposal. Some fall into both categories.

Figure 1 – HWRC 2016/17 waste breakdown by material type.

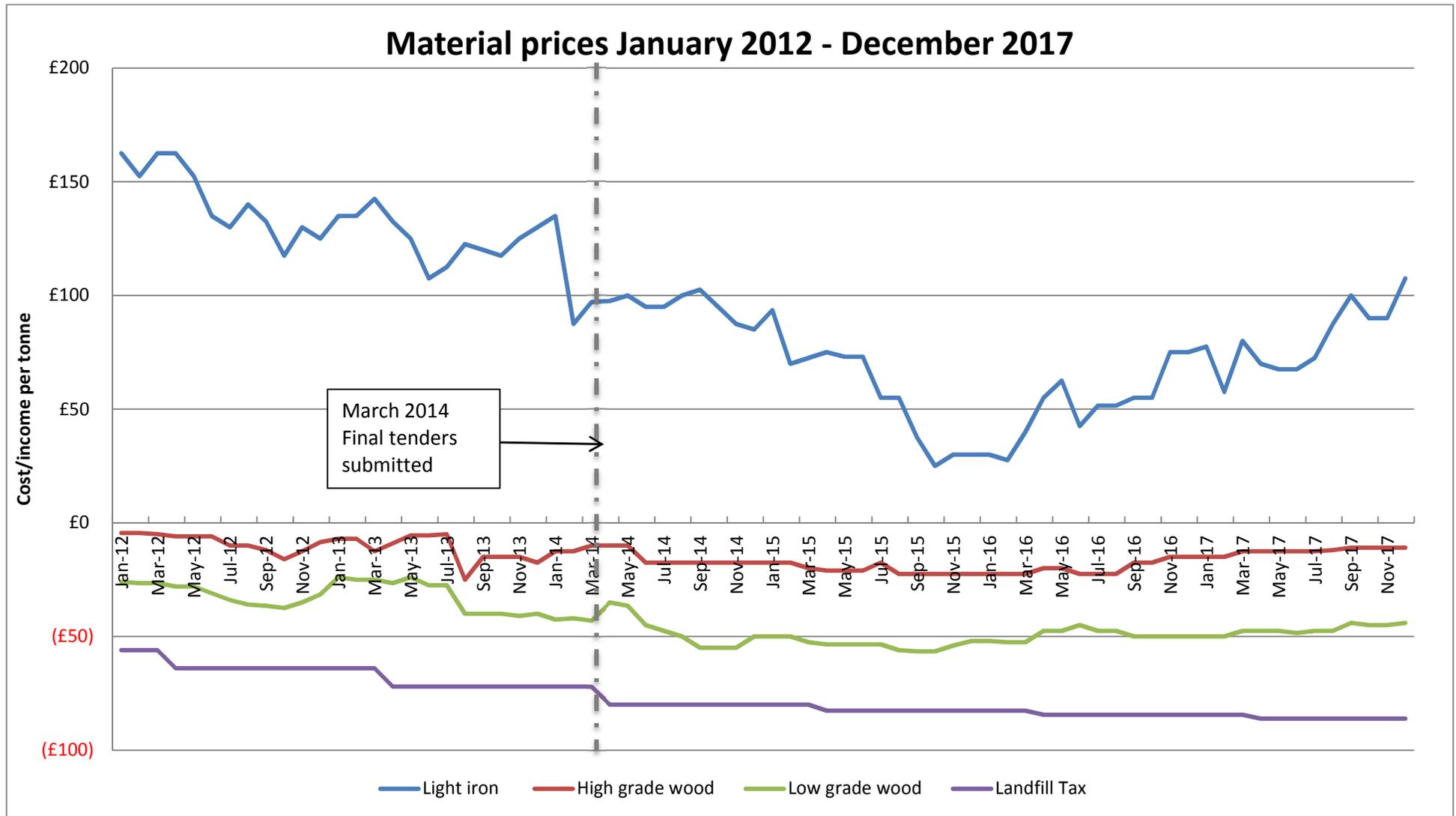


5.5 **Residual waste:** Forms the largest part of all material received through the HWRCs. The high cost of disposing of this material to the council means this should be the primary focus for better management and controls. Also, less residual waste coming in to the sites would allow Amey to better manage other recycling streams and provide improved customer service.

5.6 **Wood waste:** The material is received in high quantities and is predominantly of a low grade (e.g. treated rotten fence panels, laminated chipboard or MDF). As previously reported to Panel, the Environment Agency and the Wood Recyclers Association are producing revised guidance (expected in November 2018) on the quality of wood. This is likely to define wood that can be classified as high grade (i.e. good enough to meet quality requirements of a recycling market) and wood which should be classified as low grade (i.e. suitable as biomass fuel and/or other energy recovery process albeit at higher cost). This has the potential to significantly affect the level of performance and impact on the costs of waste treatment through the HWRCs.

- 5.7 **Construction, demolition and excavation wastes or “CD&E” (e.g. soils and hardcore):** These wastes are classified under the Controlled Waste Regulations 2012 as ‘Industrial’ waste. As ‘Industrial’ wastes with no legal obligation to receive this material at the HWRCs, volumes have been restricted to a car bootfull per month since 2004 although this policy remains the principal reason for complaint about the services provided.
- 5.8 **Organic waste:** Evidence suggests that levels in district and boroughs that have implemented chargeable garden waste schemes are seeing diversion back into the local HWRCs. For example, the Rickmansworth HWRC is almost exclusively used by residents in a chargeable green waste collection service area and the volume of green waste into the centre increased by 29% in the year after the charge was introduced. This compares with an increase of 8% in the remaining 16 centres over the same period and is a logical impact of introducing charges in one part of a system while continuing to offer free disposal in another part. It is worth noting that legislation prevents the council from charging for the disposal of green waste (which is defined as household waste) at HWRCs. There is an increased level of risk that volumes and therefore costs to Amey (who are contractually obligated to pay for the treatment and disposal of green waste) will continue to increase with further roll-out of chargeable collection schemes and/or reduced take up of chargeable schemes as residents decide to instead use the HWRCs.
- 5.9 **Ferrous metal and electrical wastes:** It has been reported for some time that the world commodity markets have generally experienced a downward trend although more recently the markets for these materials have shown encouraging signs of recovery which should go some way to supporting the contractor’s financial position in the immediate term.
- 5.10 The volatility of world markets is demonstrated in figure 2 below. This shows the difference in the costs of wood wastes per tonne (gate fee only and excluding haulage costs) and the level of risk that is posed by moving from high grade recyclable wood destinations to low grade or worse, into the residual waste (an indication of the residual waste costs is shown in figure 2 as landfill tax levels).

Figure 2 – Commodity prices



6. Amey

- 6.1 The contract with Amey effectively passed all risk for the management and cost of all materials delivered to the HWRCs except for residual waste, which remained with the council. Furthermore, the contract requires a fixed annual level of income to be provided to the council with sums generated above that shared between the parties. The contract position, therefore with regards to the negative market movement has proved very beneficial to the council in mitigating financial pressures that would otherwise have arisen since the start of the contract. It has affected the contractor negatively and, by consequence, perhaps stifled some investment and innovation opportunities that the council may want to develop in partnership with Amey over the long-term contract.
- 6.2 Amey have adhered to the provisions within the contract in terms of performance and have provided payments to the council for the management of the recyclable material despite making a net loss on the management and haulage of the material.
- 6.3 A formal approach by Amey in November 2017 outlined their principal concern as a lack of incentive for them to exceed contract minimum baselines for the diversion of material from the residual waste. The contract requires a minimum diversion level of 65% and levels throughout 2017/18 have consistently been in the region of 71%
- 6.4 To put this in context, the network received 80,582 tonnes of waste in 2016/17, of which 71% was diverted from residual waste disposal. This leaves 23,368 tonnes requiring disposal. The effect of Amey reverting to the baseline position of 65% diversion from landfill, assuming the same level of tonnage through the centres, would require an additional 4,836 tonnes of residual waste disposal at the county council's cost. The current level of disposal of residual HWRC waste is in the region of £110 per tonne and therefore, a pressure in the order of £532,000 could arise on the council.
- 6.5 Amey's current operation of the van permit scheme differs from their bid and contract position by allowing unlimited reapplications and they intend to introduce a limit of 12 visits per year. Such restrictions have become common-place nationally.

- 6.6 Amey have been working with the council on a more appropriate digital platform for administering the system and the contractor is developing an improved commercial waste offering, for example, exploring if the 2 mid-week closure days could be used as a means of providing legitimate outlets for commercial waste disposal and/or an option for householders with large quantities of non-household waste rather than use of traditional skip type disposal.
- 6.7 Since the formal approach by Amey in November 2017, officers have conducted substantial investigations into the costs of alternative service provision should the worst case scenario of contract failure occur. The conclusion is that any other alternative provision for the same or similar level of service, be it a replacement contractor, in-house service or arm's length local authority controlled company provision would all require a new pressure for the county council in the order of at least £500,000.

7. Legislation

- 7.1 The principal purpose of HWRCs is to provide facilities for residents that are not readily available at the kerbside. A well-functioning network will not duplicate, but instead compliment, effective kerbside services and typically receive bulky items such as furniture, mattresses, larger garden cuttings and items from garage or shed clearance that residents may carry out from time to time. This is important when considering what is "appropriate and reasonable" access to the HWRCs.
- 7.2 The Environmental Protection Act 1990 ('the 1990 Act') sets out several matters that are relevant to the future sustainability of the Hertfordshire HWRCs in comparison to current mode of service provision and policy. They are:-
- 7.2.1 The duty is to provide "*places*" and does not prescribe the number of HWRCs that an authority is required to provide other than being plural. Hertfordshire currently has 17 HWRCs in its network.
- 7.2.2 The network is required to provide facilities where "*persons resident in its area may deposit their household waste*". This means that access can be restricted to Hertfordshire residents only, for "*their*" own waste and that an HWRC is only obliged to receive "*household waste*".
- 7.2.3 Any HWRC provision needs to be available at "*reasonable times*" including a day falling on a weekend.

- 7.2.4 There is a clear provision in the 1990 Act that the council can make a charge for the receipt of wastes other than household. This would include classifications such as commercial waste and industrial waste, e.g. construction, demolition and excavation wastes such as soils and hardcore. Several authorities have taken this further to mean items such as plasterboard, tyres or wood based construction such as fitted kitchen units that arise from a resident's home.
- 7.2.5 Amey's proposed restriction on re-applications for use of the HWRCs by commercial vehicles and/or vans is not specifically set out in the 1990 Act. Restrictions on the types of material are permitted and a charge can be made as above but the legislation does not specifically permit restrictions or charges for types of vehicle. That a HWRC must be '*reasonably accessible*' has been interpreted by several local authorities as 12 visits per annum and, in the example of Warwickshire County Council, as 6 or 4 visits per year dependent on van size. This authority was challenged on their policy and the local government ombudsman concluded that that it was a policy which the council was entitled to adopt.
- 7.3 Legislation, which came into effect in March 2015 the "Local Authorities (Prohibition of Charging Residents to Deposit Household Waste) Order" prohibits councils from charging their residents for the use of HWRCs either at the point of entry, exit or disposal (of household waste). This does not extend to non-residents who may still be denied access through resident only permit schemes or charged for accessing an authority facility in an area other than which they reside (Information on existing border controls for HWRC access is shown as Appendix 2), nor does it restrict charges for certain types of waste.
- 7.4 The Government's Litter Strategy for England, was published on 10th April 2016 and considered that an increasing number of councils have introduced charges for the use of HWRCs for what are considered 'non household' waste streams, in particular DIY waste from home renovations. The publication highlighted guidance contained within the Waste & Resources Action Programme (WRAP) HWRC Guide, last updated in January 2016, which suggested that DIY waste is classed as household waste: "...if it results from work a householder would normally carry out."

- 7.5 The Government's strategy states: *"It is therefore important that, where charges are proposed, they are proportionate and transparent and are made in consultation with local residents so that local services meet local needs."* An interpretation of the wider Government statement is that charges should be based on cost recovery rather than profit making and demonstrably and transparently communicated in an appropriate manner at the facility and in media such as websites.
- 7.6 The Government has pledged to work with WRAP to review current guidance to *"ensure this reflects changes in the law and to make clear what can and cannot be charged for at HWRCs, including in respect of DIY waste"*. This revised guidance, which it is claimed will also explore ways of managing HWRC services to facilitate access for local householders and small businesses 'at proportionate cost' was due to be published by the end of 2017 but is not available at the time of writing. In any event, no changes have been made to the legislation pertaining to provision of HWRCs since 2015.

8. Data Analysis

- 8.1 Data provided by Amey shows that 32,790 van permits have been issued between December 2014 and November 2017, of which 9.2% have been issued to non-Hertfordshire residents. This is proportionally higher than the surveyed percentage of non-residents using the HWRCs which was 6%.
- 8.2 The information indicates that 90% of vans issued with a permit since the scheme was introduced in December 2014 have yet to submit a re-application, 9% of vans have been issued with 2 permits and just 1% have been issued with 3 or more permits. This suggests that the 12 visit per annum permit limit intended for implementation by Amey would be more than proportionate for the majority of applicants and that it is a minority of serial users that could be considered to be visiting the centres in excess of that which would be expected as waste generation in the normal course of living.
- 8.3 The Automatic Number Plate Recognition (ANPR) system across the network has now been in operation for some months and does highlight disproportionate use of HWRCs by some users (not solely van users). Table 1 below shows a summary of findings from the ANPR data for the 3 month period: from 7th Sept 2017 to 6th December.

Table 1

	On 8 or 9 occasions	Between 10 – 20 occasions	Between 20 – 30 occasions	Between 30 – 40 occasions	Between 40 – 50 occasions	On over 50 occasions
No of specific users attending HWRCs	25	44	10	4	2	7

8.4 Effective challenge of users considered to be bringing in commercial waste in to the HWRCs is the responsibility of the contractor although it is acknowledged that this is not always easy during peak usage times and improvements in this regard are generally dependent on staffing levels and effective systems.

8.5 It is anticipated that a new online digital application platform could be in place by autumn 2018. This could provide multiple benefits including the potential to remove conflict at the centres, allowing for resources to concentrate on performance and services for residents, shortening the customer journey in the provision of permits through electronic means and better informing usage patterns and remaining visit numbers.

9. Peer authority research

9.1 A significant number of Waste Disposal Authorities in England have introduced, or are considering the introduction of, a range of measures to reduce the cost of providing their HWRCs and/or avoid closures of centres. These include charging for non-household wastes, requesting proof of residency, reducing opening hours and reducing the number of centres in their networks. Appendix 1 provides information on the various schemes and Appendix 3 sets out, in summary form, a range of targeted potential options for the Panel to consider and that could provide operational savings and/or generate income.

9.2 The potential savings and income identified are indicative and any final sums will be subject to negotiations with Amey prior to implementation.

- 9.3 It should be noted that there is a perceived risk by residents that some measures introduced to reduce the cost of providing a HWRC network may increase instances of fly tipping. A recently agreed common definition of fly-tipping in Hertfordshire will assist in measuring what, if any, impacts may arise and evidence from the Hertfordshire fly-tipping group is providing encouraging statistics on a reducing trend. There was no demonstrable evidence of increased fly-tipping post the council's changes to operational days and hours in January 2015 and other authorities such as Devon County Council and West Sussex County Council who introduced charges for non-household waste at their centres experienced a decrease in fly tipping incidents on implementation.
- 9.4 It is prudent to work on the basis that any or all the proposed saving options identified in Appendix 3 below will require a public and stakeholder consultation exercise to be completed although it should be noted that adopting multiple options may impact on the deliverable sums.

10. Key considerations for a sustainable HWRC Network

- 10.1 The aging HWRC network will require investment to adequately manage increasing population and housing numbers and to try and avoid escalating disposal costs and a decline in performance. The November 2017 Annex to the Authority's Local Authority Collected Waste Spatial Strategy 2016 (LACWSS16) identified the pressures in housing growth, deficiencies in the existing network and set out an ambition to provide a network of significantly improved centres.
- 10.2 At the November 2017 meeting of the Panel it was noted that there was a desire to develop a network of more modern, fit-for-purpose and larger HWRCs. Whilst a wider range of options have been considered than in Appendix 3, without the provision of better 'super-sites', those options which concern further restrictions on the availability of Centres, be that site closure, reduced days and/or hours of operation, are considered to have the potential to add further and unsustainable pressure to the remaining operational centres.
- 10.3 Any changes to service provision and/or policy should, so far as is possible, not negatively affect the budget position; better protect the authority against some of the key risks (e.g. wood waste and increasing residual waste) and provide an incentive against future pressure on both the contracted supplier and the council.

10.4 The current 'pairing' of HWRCs to provide a 7 day service for residents within a reasonable travelling distance is working well and residents are used to the changes. The provision affords an opportunity to consider what may be the best use of the 2 mid-week closure days. This consideration has formed part of discussions at a recent digital workshop and commercialisation in services meetings. For example, could the Centres be opened on the closures days to accept commercial and other waste on a pay as you throw basis, recouping all operating costs while offering additional flexibility and more productive use of the site.

11. Financial Implications

11.1 This report sets out some key future risks to the HWRC budget, as summarised below, but does not have any immediate financial implications at this time.

11.1.1 The effect of Amey reverting to the baseline position of 65% diversion from landfill, assuming the same level of tonnage through the centres, would mean an estimated pressure in the order of £532,000 to the council. As landfill tax and Energy Recovery Facility (ERF) gate fees rise, this represents increased future risk.

11.1.2 The risk of re-classification of wood is challenging to estimate, however, if 10% of the material was classed as hazardous wood and was disposed into the residual waste, the cost per tonne would rise by c. £70 per tonne with an estimated £120,000 pressure to the council. If 25% of the wood currently classified as suitable for recycling were to be 'downgraded', the cost per tonne would rise by c. £30 per tonne with an estimated £130,000 pressure to the contractor who are liable for disposal costs of this separated material.

11.1.3 The estimated cost of alternative provision for the same or similar level of service, be it a replacement contractor, in-house service or arm's length local authority controlled company provision are considered to all require a new pressure for the council in the order of at least £500,000

11.2 The potential savings and income options are identified in Appendix 3 of this report. Members should note that the sums are indicative as they are based on an interpretation of Amey's financial model. Any final sums will be subject to negotiations with Amey prior to implementation although Members will note that Amey have been requested to add their view on the suggested options.

12. Legal implications

12.1 If an amended residual waste incentive scheme is introduced that better protects the council's budgeted position and seeks to maintain high performance levels, work will be required with the council's legal services department to ensure that any proposed changes are not 'material' under the Public Contract Regulations 2015.

13. Equalities implications

- 13.1 When considering proposals placed before Members it is important that they are fully aware of, and have themselves rigorously considered the equalities implications of the decision that they are taking.
- 13.2 Rigorous consideration will ensure that proper appreciation of any potential impact of that decision on the County Council's statutory obligations under the Public Sector Equality Duty. As a minimum this requires decision makers to read and carefully consider the content of any Equalities Impact Assessment (EqIA) produced by officers.
- 13.3 The Equality Act 2010 requires the Council when exercising its functions to have due regard to the need to (a) eliminate discrimination, harassment, victimisation and other conduct prohibited under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics under the Equality Act 2010 are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief, sex and sexual orientation.
- 13.4 It is recognised that there are potential equality implications should changes to the HWRC service occur and if the use of digital platforms is provided for aspects of the service. Should any of the identified options be taken forward for resident consultation, an Equalities Impact Assessment and involvement of the council's Equality team will be required.

Background Information:

Environmental Protection Act 1990:

<http://www.legislation.gov.uk/ukpga/1990/43/contents>

The Local Authorities (Prohibition of Charging Residents to Deposit Household Waste) Order 2015:

<https://www.legislation.gov.uk/ukdsi/2015/9780111130629>

Public Contract Regulations 2015

<http://www.legislation.gov.uk/uksi/2015/102/contents/made>

Community Safety & Waste Management Cabinet Panel- 8 November 2017

<http://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/743/Committee/53/Default.aspx>

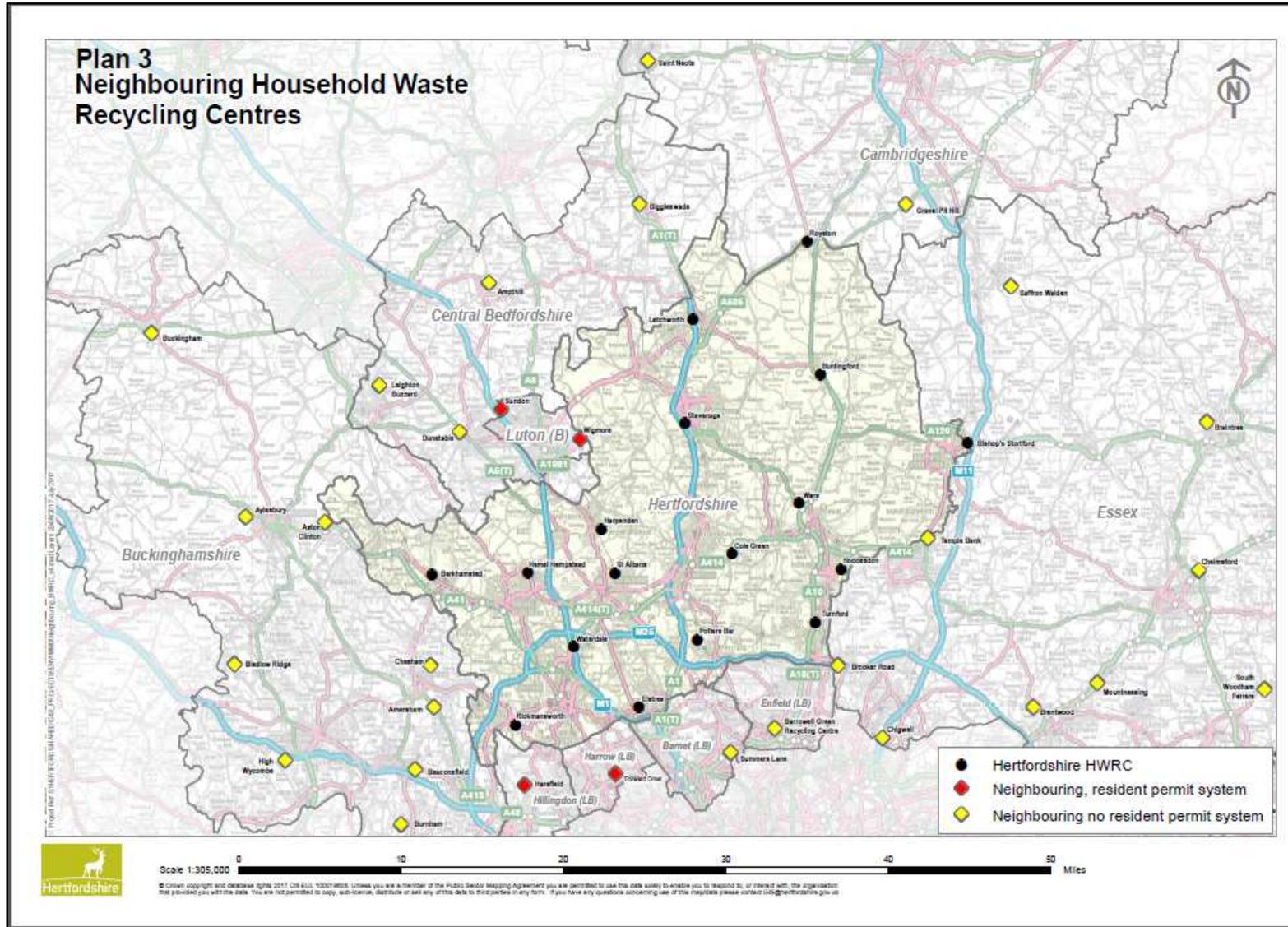
Appendix 1: Authorities that charge for non-household waste and/or have a resident permit scheme in place

Bath & North East Somerset	Resident permit scheme in place	Proof of name and address required to access centres.
Bristol City	Resident permit scheme in place	Photo identification and proof of residency required to access centres.
Caerphilly	Charges for non-household waste	Rubble and soil charges for van users: Small van £35 Medium van £70
Cornwall	Charges for non-household waste	Charges introduced in 2014 Rubble and soil 31.75 per bag Plasterboard £4.40 per bag
Devon	Charges for non-household waste	Rubble and soil £2.10 per bag Tyres £3.60 Plasterboard £4.00 per bag
Hampshire	Charges for non-household waste	Rubble and soil £2.50 per bag Plasterboard £10 per bag Tyres not accepted
Harrow	Resident permit scheme in place	Non-residents may use the centre at a cost of £20 per visit.
Hillingdon	Charges for non-household waste	Charges introduced in 2008 free access to disposal facilities strictly restricted to residents with a 'Hillingdon First Card' or acceptable proof of residence in Hillingdon. Non-residents may use the centre at a cost of £10 per visit.
	Resident permit scheme in place	Charges introduced in 2006. All non-household wastes charged at a minimum of £16.
Kent	Charges for non-household waste	Tyres (up to two) £5
	Resident permit scheme in place	Non-residents may use the Dartford centre at a cost of £5 per visit. No resident only restrictions at other 17 centres.

Lancashire	Charges for non-household waste	Changes introduced in 2015 Residents are permitted to bring 10 bags to the centre and additional bags are charged for. Rubble and soil £3.50 per bag
Leicestershire	Charges for non-household waste	Rubble and soil £3 per bag Plasterboard £3 per bag
Luton	Resident permit scheme in place	A resident only permit scheme is in place.
Norfolk	Charges for non-household waste	DIY 'Pay As You Throw' started in 2007. Free disposal is provided for one 80 litre bag per week otherwise DIY waste can be disposed of at a cost of: Rubble and soil £4.70 per bag Plasterboard £7.60 per bag A small car load £37 A large car load £79
Northamptonshire	Charges for non-household waste	Trade charges for exceeding permitted amount: Rubble and soil £4 per bag Plasterboard £14.23 per bag
North Lincolnshire	Charges for non-household waste	Rubble and soil £2 per bag Tyres £4 Plasterboard £2 per bag
North Yorkshire	Charges for non-household waste	Rubble and soil £3.10 per bag Tyres from £1.70 Plasterboard £2.40 per bag
Nottinghamshire	Resident permit scheme in place	Residents are required to register before they visit a centre
Oxfordshire	Charges for non-household waste	Started making a nominal charge for 'excessive' non-household waste in 2002 of £1 per item. From October 2017 this increased to £1.50 per item and £2.50 for plasterboard.

Poole	Charges for non-household waste	<p>Charges introduced in 2014 Rubble and soil £1.50 Tyres £5.00 Plasterboard £2.00 per bag</p> <p>A reduction in tonnage occurred. The following is the change to tonnage in Apr-Sept 2015/16 compared to the same period in 2014/15: Asbestos: -72% Plasterboard: -66% Soil and rubble: -62% Tyres: -86% Gas bottles: -84%</p>
Somerset	Charges for non-household waste	<p>Charges introduced in 2011. Rubble and soil £3.60 per bag Plasterboard £4.00 per bag</p>
South Gloucestershire	Charges for non-household waste	<p>Charges introduced in 2002 once an allowance of 6 bags has been reached.</p> <p>Each bag charged at £2.50</p> <p>Non-household waste tonnages have dropped from c.10,000 tonnes in 2008 to c.4,000 tonnes per year in 2016.</p>
	Resident permit scheme in place	Residents must register their vehicle prior to visiting a centre.
Surrey	Charges for non-household waste	<p>Rubble and soil £4.00 per bag Tyres £5.00 Plasterboard £4.00 per bag</p>
	Resident permit scheme in place	Surrey resident scheme in place. Non-residents can use two centres where they will be charged the standard waste disposal rate.
Warwickshire	Charges for non-household waste	<p>Trade charges for exceeding permitted quantity: Rubble and soil £4.00 per bag Tyres £6.00 Plasterboard £26.50</p>
West Berkshire	Charges for non-household waste	<p>Charges introduced in September 2017 Rubble and soil £2.45 per bag Plasterboard £4.10 per bag</p>
	Resident permit scheme in place	All residents sent a permit which must be displayed when using the centres. Some eligible Hampshire residents also sent a permit.

Appendix 2: Neighbouring authority resident only controls



Appendix 3: Potential saving options

Change to service	Benefits	Risks	Annual ongoing saving	Implementation possible from	Amey Comments
<p>1. Resident only permit scheme and charge non-Hertfordshire residents to use the centres</p>	<p>Maintain the service without incurring a cost</p> <p>Discourage use of the service by non-residents</p> <p>Increase capacity at the centre for Hertfordshire residents</p> <p>Contribute towards a reduction in centre servicing</p>	<p>Service users would need to prove they are a Hertfordshire resident</p> <p>Other authorities may start to charge (or ban) Hertfordshire residents to use their service</p>	<p>£100,000 to £140,000</p> <p>Unlikely to be sustained</p>	<p>Late 2018/19</p>	<p>Resident only permit scheme would likely reduce disposal costs across the service at specific centres (Border sites) but limited to no effect on others. This would have the benefit of reducing volumes of waste and therefore disposal and transport costs.</p> <p>The option could give rise to safety concerns around challenging non-residents and stopping them tipping but technology (bodycams) would be implemented to mitigate the adverse effects.</p> <p>It is likely that other authorities would implement similar schemes which would mean any benefits would be short lived as Herts residents using other authority's services would be drawn back into the the council's service.</p>

<p>2. Charging service users to deposit non-household waste including tyres, plasterboard and soil and rubble waste</p>	<p>Maintain the service without incurring a cost</p> <p>Reduction in the amount of waste entering the centre</p> <p>Increased capacity at the centre</p> <p>A reduction in disposal costs</p> <p>Contribute towards a reduction in centre servicing</p>	<p>Could be perceived as a service cut by residents</p> <p>Department for Communities and Local Government may review legislation</p>	<p>£300,000</p>	<p>Late 2018/19</p>	<p>This option is deliverable and our calculations of financial saving are not too dissimilar from those estimated here. The largest unknown variable is the volume of waste that continues to be delivered to the HWRCs after the introduction of a pay-per-throw scheme.</p>
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<p>3. Restricting van permits to six (6) visits per year</p>	<p>Reduction in the amount of waste entering the centres</p> <p>Actively mitigates abuse of the service by commercial vehicles</p> <p>Contribute towards a reduction in centre servicing</p>	<p>Could be contested by residents</p>	<p>up to £150,000</p>	<p>Late 2018/19</p>	<p>Amey are actively pursuing reversion to 12 visits per annum. Savings for this increased restriction to 6 visits are, assuming half the waste is residual waste, estimated to be £150,000 per annum.</p>
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