



COUNCIL CABINET
30 SEPTEMBER 2008

ITEM 9

Report of the Cabinet Member for Direct and
Internal Services and Cabinet Member for
Leisure and Culture

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Environmental Services – Budget Implementation

SUMMARY

- 1.1 To close the Recycling bring sites identified in appendix I because of the availability of a comprehensive domestic recyclable materials collection service throughout the city.
- 1.2 The 10 bring sites receiving the highest tonnages of recyclable material will remain open. In addition, those sites which service communities where the domestic recycling collection service that have not been rolled out to will be retained. It is expected the roll out will be completed by March 2009 and the sites closed soon afterwards.
- 1.3 To close public toilets identified in appendix 3. The public toilets are in poor condition and do not satisfy the public's expectations. There is significant vandalism and anti-social behaviour linked to the toilets. Cleansing, repair and maintenance costs the Council a significant amount of money each year.
- 1.4 Two temporary litter wardens' posts were created in 2007/08. The funding was time limited and there was no budget provision made in the Council's 2008/09 budget or for future years.

RECOMMENDATION

- 2.1 To close the Recycling bring sites identified in appendix I, as agreed in the 2008/09 three year budget process with effect from 1st November 2008.
- 2.2 The top ten performing bring sites remain open, and the bring sites in areas that are not on the recycling collection service will be closed on a phased basis following the introduction of the scheme.
- 2.3 All the identified Public Toilets in Appendix 3 from 1st November 2008. That the decision to close the Public Toilets in the Eagle Market and Assembly Rooms are taken in principle but that they are closed following the completion of the new Bus Station.

- 2.4 An information campaign is established that identifies the closures and publicises the suitable alternatives that the Public may have access to.
- 2.5 City Planners encourage the establishment of public toilet facilities in future City developments to which the public are intended to have access.
- 2.6 To end the temporary Litter Warden service as there is no funding to maintain it within the Council's budgets in 2008/09 and future years.

SUPPORTING INFORMATION

3. Recycling Bring Sites

- 3.1 The proposal to close a number of Recycling bring sites formed part of the 2008/09 budget strategy. Although initially the cost savings were to be taken in 2009/10, the delay in the implementation of the 2008/09 budget savings due to the Election and change of administration has necessitated the bringing forward of these cost saving in order to balance the current year's budget.
- 3.2 The majority of the City's recycling bring sites receive low amounts of recycled materials due to the successful rollout of the domestic recycling facilities. The sites attract significant fly tipping and anti-social behaviour. It is not expected that the closures will have a significant impact on recycling tonnages in the City.
- 3.3 As Derby's recycling systems have developed, this has allowed householders to put their recyclable materials out to be collected alongside their domestic refuse, (without necessarily visiting bring sites). The roll out of the kerbside scheme has transformed recycling in Derby, making it more accessible to its residents and massively increasing the City's recycling rate.
- 3.4 Over the years bring bank recycling points have been added to meet the demands of some residents. Some sites have subsequently been closed due to anti-social behaviour issues such as fly tipping and vandalism. Public reaction to these closures has been positive.
- 3.5 However, some 12,000 households do not yet have access to the kerbside collection system. For residents who don't currently have access to kerbside collections, the bring bank sites in their area will remain open temporarily until the kerbside option is delivered to those local residents. In addition, the top 10 performing bring sites based at the supermarkets will remain open.

4. Public Toilets

- 4.1 The proposal to close a number of public toilets formed part of the 2008/09 budget proposals. These were accepted and the Council's budget for 2008/09 was reduced by £147,000 and for 2009/10 by £252,000 on the basis that certain toilets would be closed by 1st April 2008. However, since these closures did not take place on 1st April 2008, it is now necessary to bring forward the 2009/10 closures in order to balance the current years budget. It is intended to close the identified toilets in appendix 3 from 1st November 2008

- 4.2 Public toilets provided by the City Council's Cleansing Services are in poor condition and do not satisfy the public's expectations. Alternative provision has been identified.
- 4.3 The lack of investment and development over many years has had a major impact. Derby's publicly managed toilet facilities can be best described as functional and basic. At worst they do not meet the expectations of a 21st Century society. Indeed the only investment in the past few years have been to meet basic health and safety requirements. There has been no improvement in the experience for the user, with the exception of the introduction of a small number of Automatic Public Conveniences during the 1990's.
- 4.4 Vandalism and misuse have contributed to increasing costs to maintain the facilities. There is a perception from many that public toilet facilities should be avoided. Annual budget cuts significantly since 1997, have contributed to the deterioration of these facilities.
- 4.5 Drug taking and prostitution occur on a regular basis in the public toilets. These being witnessed directly by cleansing staff and from time to time by members of the public. Indeed, in more recent times some publicly managed toilet facilities in the City have had to be closed because of such antisocial behaviour.
- 4.6 There are a range of toilet facilities across the City to which the Public already have access which are both publicly and privately managed, and it is also likely that other publicly accessible facilities are used more frequently than those provided by the City Council.
- 4.7 Appendix 3 identifies those toilets, which, due to a combination of high maintenance costs, low usage and anti social behaviour, should be closed. Alternative facilities will be identified in the Council's website and also on closure notices at those sites that will be closed.
- 4.8 Taking into account current guidance from the Department of Communities and Local Government (DCLG), the City could use the updated British Standard BS 6465-1:2006 as a basis for securing an appropriate level of provision, design quality, and accessibility for sanitary facilities in new buildings as buildings undergoing major refurbishment.
- 4.9 The Local Development Framework could be used to set out the City's intention to seek contributions to fund public toilets for certain types of development. Planning obligations (also known as Section 106 Agreements) could also be used to prescribe the nature of a new development to ensure certain benefits or to secure a contribution (financial or in-kind) from a developer to mitigate the impact of a development.
- 4.10 Appendix 2 shows a number of RADAR toilet facilities in the City, for those who are authorised to use them, which will be displayed on the Council's website, along with details of other facilities which those who are disabled can use.

5. Litter Wardens

- 5.1 Two temporary Litter Wardens posts were created in 2007/08. The posts were funded through the Local Area Agreement. The funding was limited to one year.
- 5.2 No proposals were made to continue the funding for the two Litter Wardens in the

budget discussions in October and November 2007. The Litter Wardens have carried out enforcement and education activities aimed at tackling littering in mainly the City Centre. Over the period of the pilot the staff have served nine notices and undertaken no prosecutions. Although well received by businesses and the public, the legislation the Wardens use is difficult to use and limits the enforcement action that can be taken. Therefore although a difficult decision, the service has not had a significant impact on the levels of litter being dropped, or seen major enforcement activity, and therefore was not seen as a priority for base-line funding.

- 5.3 The budget pressures in Environmental Services in 2008/09 mean that any proposal to retain the Litter Wardens will mean service cuts elsewhere in the Directorate. The full year cost of the two litter wardens is £47,000.

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Background papers:	None
List of appendices:	Appendix 1 – Implications Appendix 2 – Toilet facilities that those who are disabled can use Appendix 3 – Toilets identified for closure

IMPLICATIONS

Financial

- 1.1 The closure of the Recycling bring sites is estimated to save £40,000 in 2008/09 with the remainder of the £160,000 coming online in 2009/10.
- 1.2 Failure to close the public toilets will cost the department £147,000 in 2008/09 and a further £252,000 in 2009/10. This will be offset if the proposed closure of all sites commencing in November 2008 is approved, and will achieve the required saving in both years.
- 1.3 The cost of the Litter Warden scheme in 2008/09 until it is ceased will be covered by the savings from the closure of the Recycling bring sites and the public toilets.

Legal

- 2.1 There is no obligation to provide recycling bring sites.
- 2.2 The legal powers for local authorities to build and maintain public toilets were subsequently enshrined in the 1936 Public Health Act, Section 87, Sub Section 3. This gives local authorities the right to build and run on street 'public conveniences' (toilets). This act allows local authorities to build toilets (if they so wish), but it does not require them to do so, thus the legislation is permissive not mandatory.
- 2.3 The Council has no legal obligation to employ Litter Wardens

Personnel

- 3.1 Any staff impact would be minimised by staff carrying out other Waste Management work
- 3.2 The staff (and trade unions) employed on public toilets cleaning has been consulted on the proposed action. Redeployment opportunities have already been identified.
- 3.3 The staff employed as litter wardens are on temporary contracts and will be given support when their contracts end.

Equalities Impact

- 4.1 Domestic recycling is accessible to everyone in the City when the 'Rethink Rubbish' rounds are complete this year 2008/09.
- 4.2 The Public toilets in the City do not comply with requirements of the Disability Discrimination Act for access.

Corporate objectives and priorities for change

- 5.1 The proposal for Bring site closure comes under the Council's Objectives of the Cleaner and Greener Derby.
- 5.2 The proposal for public toilet closure comes under the Council's Objectives of reducing crime and anti-social behaviour. The proposal furthers the priority of value for money for maximising the efficiency of Waste Management.
- 5.3 The proposal furthers the need to get a balanced and sustainable budget.