



Report sponsor: Cabinet Member for
Communities and Streetpride
Deputy Chief Executive
Report author: Director of Communities

Waste Management and Environmental Enforcement Update

Purpose

- 1.1 Derby City Council (the council) provides services for residents to manage their waste, which include municipal kerbside waste collections, optional chargeable bulky waste collections and the provision of a Household Waste Recycling Centre (HWRC) on Raynesway where an online booking system was implemented in 2022.
- 1.2 The council stopped providing compactor days in 2021 which previously enabled residents to dispose of bulky items free of charge within communities as part of scheduled clean up campaigns.
- 1.3 Environmental crime such as littering and fly tipping on the public highway or council owned spaces is managed and investigated by the Council's Public Protection Officers with waste on land offences managed and investigated by the councils Environmental Protection Team.
- 1.4 This report sets out proposed changes to increase the support to enable residents to provide every opportunity to dispose of waste sustainably and responsibly; along with stronger measures to ensure effective enforcement where waste crime offences are committed.

Recommendation(s)

- 2.1 To approve the removal of the charge on the system for two weeks per year to enable free bookable bulky waste collections for residents who book in this time; with the charge remaining in place at all other times, to be delivered in weeks determined by Streetpride in spring and winter from April 2024.
- 2.2 To approve and keep under review, the removal of the HWRC booking system on Sundays, with the booking system remaining in place at all other times, from April 2024
- 2.3 To delegate authority to the Head of Community Safety and Localities to commence a procurement process to initiate a 12-month pilot scheme to deploy a suitable qualified contractor to undertake investigation and enforcement of fly tipping.
- 2.4 To note improvements in enforcement approach to enable Public Protection Officers to carry out waste on land enforcement.
- 2.5 To approve the new penalty fees for waste offences set out in table 4.22, effective from January 2024.

Reason(s)

- 3.1 From May 2023 the council has a new leadership with a renewed focus and manifesto commitments around improving the environment, recycling more, reducing waste and improving public realm with commitments including:
- Offer a free bulky waste and recycling service
 - Increased penalties for fly-tippers.
 - Raynesway Tip will offer a variety of bookable appointments and open sessions
 - Introducing mattress recycling and other large recycling & reuse collection schemes
 - Deliver a climate and recycling hub
 - Increase street cleaning in our city centre
 - Prioritise our Neighbourhood Teams to tackle anti-social behaviour, fly-tipping, street drinking, support neighbourhood pride, community inclusion and development
- 3.2 This report sets out how the service is proposing to operationalise some of the manifesto commitments in section 3.1 providing every opportunity for residents to recycle more and dispose of their waste sustainably, whilst strengthening enforcement for those who dump waste illegally.
- 3.3 Mattress processing is included the new guidance around Persistent Organic Pollutants (POPS) and therefore now collected separately; and whilst work to develop a climate and recycling hub in the city is in the early stages of development, implementation of a reuse facility at the HWRC is progressing well.
- 3.4 With a focus on city centre development, manifesto commitments around increasing cleansing, tackling anti-social behaviour, and supporting pride in neighbourhoods is being led through the City Centre Summit and City Centre Task force.
- 3.5 The City Centre Summit brings together a collective group of business and partners agencies to deal with crime and anti-social behaviour issues in the city centre, delivering outcomes through operational tasking of litter picks and visible patrols to improve feelings of safety.
- 3.6 The City Centre Task Force was developed to achieve the city vision and work through thematic areas of focus, such as increasing vibrancy and culture to create a city centre that can be used by all.

Supporting information

4.1 Background

Keeping the city clean, recycling more and managing municipal waste in a responsible and sustainable way is a key priority for the council; and Streetpride work throughout the week collecting household waste from kerbside bins with large items collected through the chargeable bulky waste service. The HWRC provides an additional facility for residents to dispose of their waste and with a reuse facility developing on site it enables further recycling. Compactor days were delivered across the city until 2020.

Although these services and facilities are provided, Streetpride teams continue to respond to nearly 2000 requests to deal with fly tips in the city each year and around 400 service requests for litter, with an additional 216 tonnes of waste collected from 2019/20 to 2022/23.

During the pandemic a booking system was implemented at the HWRC to manage site safely and social distancing. In 2020 cabinet approved the ongoing use of the booking system which has reduced the amount of waste being taken to the site by around 60%.

In July 2023 waste enforcement regulations changed which increased the amount councils can issue penalties for litter and fly tipping offences. In Derby penalties are currently set at:

- Littering - £75
- Fly tipping £400

Bulky Waste

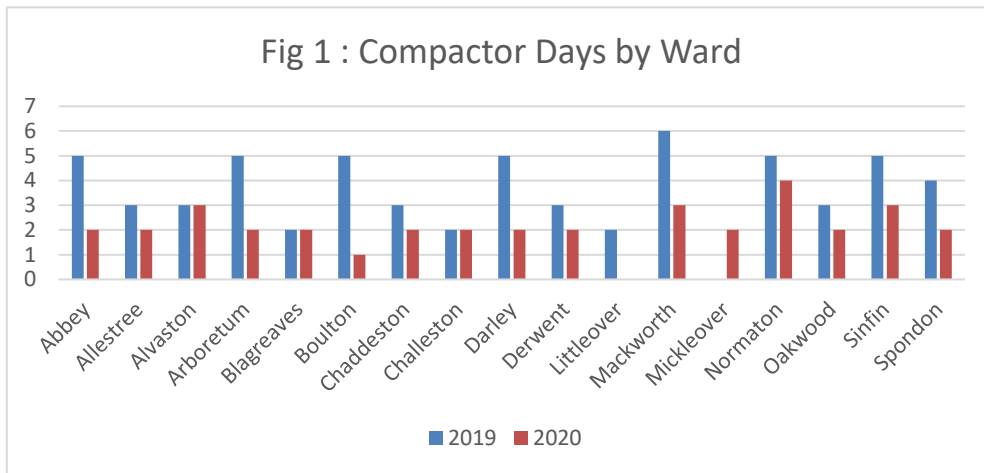
- 4.2 The council provides a chargeable bulky waste collection service across the city. Residents can contact the service to book collections of large items that are unable to fit in domestic waste bins such as furniture and white goods with the following charges applied:

- 1 to 3 items – £34.91
- 4 items – £41.06
- 5 items – £46.68
- 6 items (maximum) – £52.30
- fridges and freezers – £12.88 per item

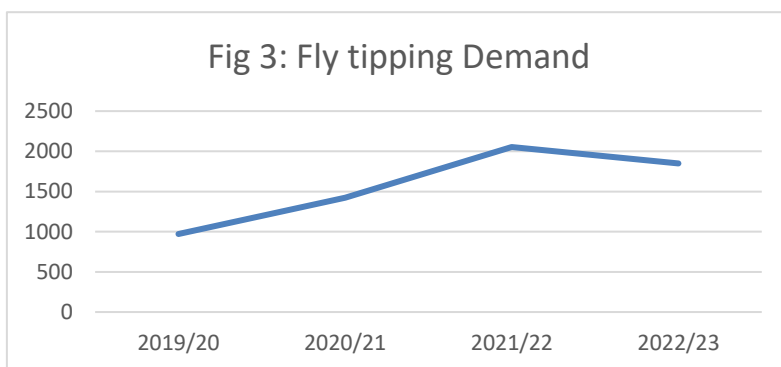
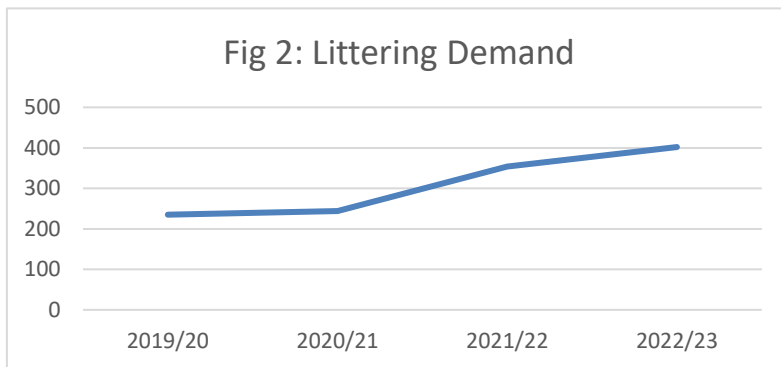
This service generates around £220k income for the council and in the current context of local authority finances it is not recommended to remove the charge entirely.

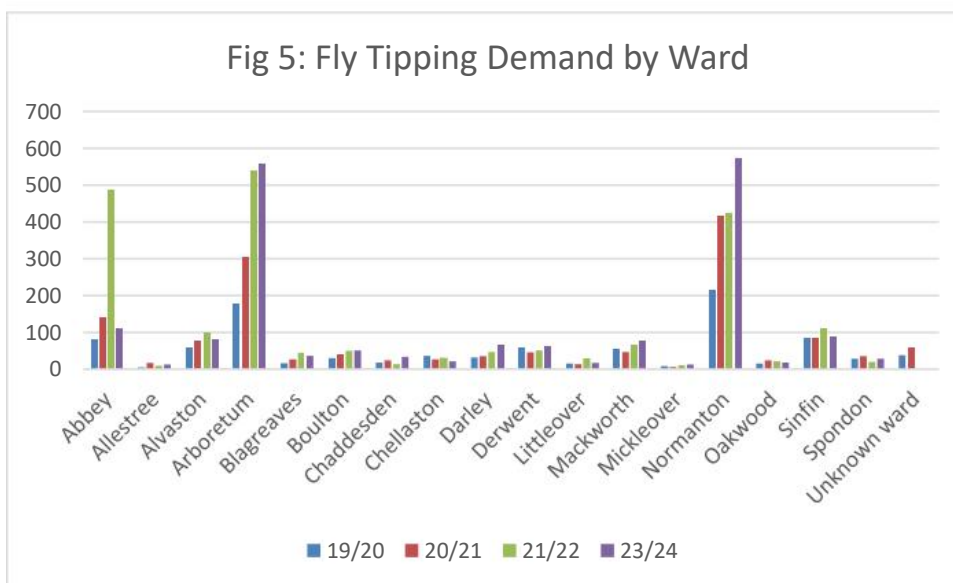
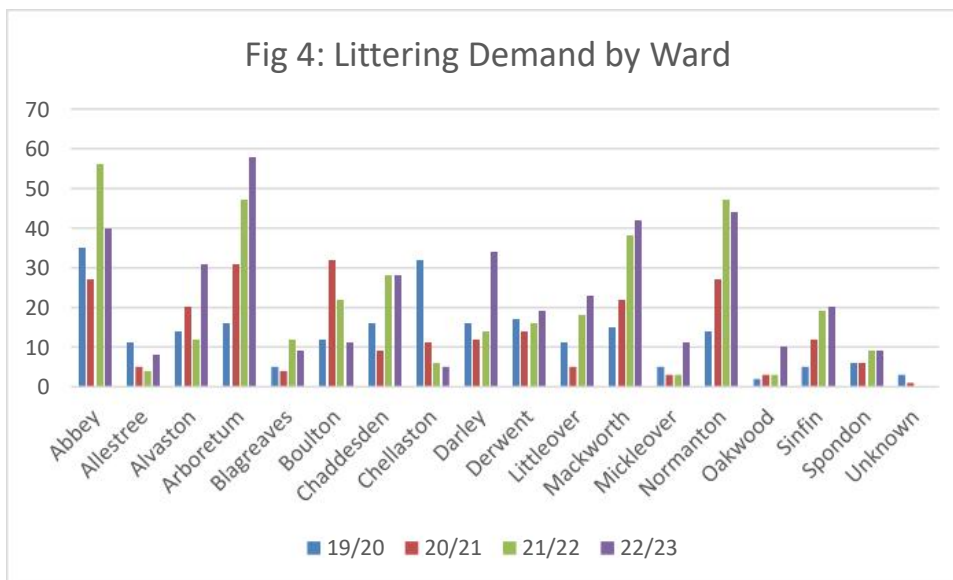
- 4.2 The recommended option is to remove the charge for bookable bulky waste collections for two weeks of the year, in spring and winter, with the charge remaining in place at all other times. Whilst this option will reduce income for the two weeks per year that the service is free, feedback from other councils who provide some free bulky collections has shown that income targets have been maintained due to more residents using the service when the charge is in place.
- 4.3 To facilitate this approach the council's booking system will need to be adapted and communications will require amendment to recognise the fee free days, but collections will be made as usual which means there are no changes required to the front-line service delivery model.
- 4.4 When considering this option, the previous compactor day approach was considered but not recommended due to the cost of delivery and the previous approach not benefiting all residents equally with few streets being selected for the events. However, data from compactor days and street cleansing demand provided useful insight into waste challenges across the city.

4.5 The following graph, fig 1, demonstrates the number of compactor days delivered in each ward (historical data held in previous ward boundaries) in 2019 and 2020.

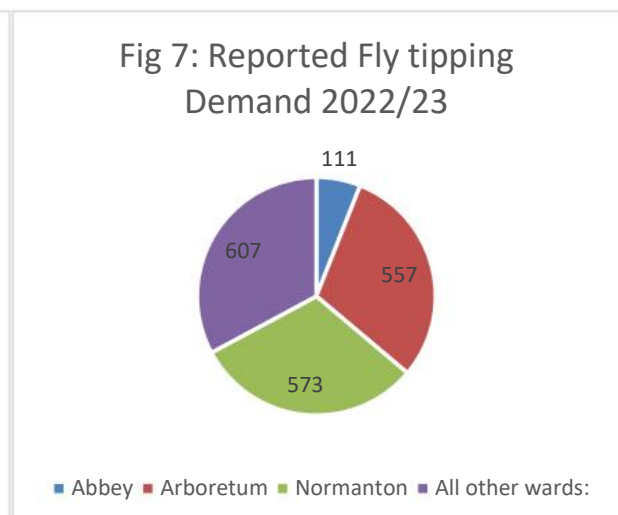
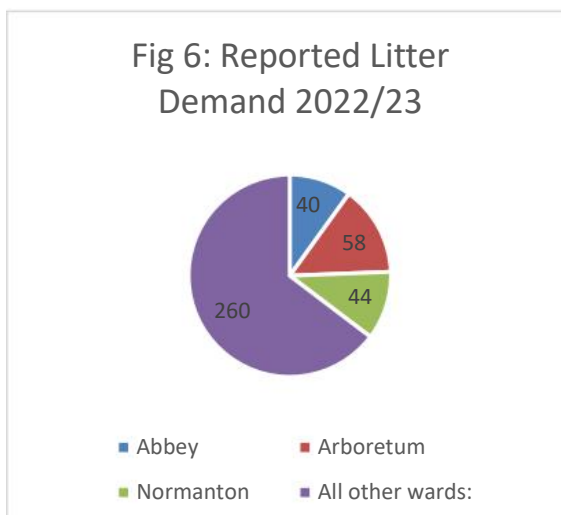


Figs 2 and 3 demonstrate annual demand for littering and fly tipping as outlined in section 3.2 with figs 4 and 5 showing demand by ward.





Figs 6 and 7 show where demand is concentrated in the city with the highest number of both littering (one third) and fly tipping demand (two thirds) being seen across Abbey, Arboretum and Normanton wards (Locality 3).



- 4.6 In addition to public realm issues such as waste, Locality 3 has a number of challenges that lead to poor outcomes for residents, including health and housing. Waste has been a key indicator in other locality models in local authority which determines that other, more complex issues may be present. A number of workstreams within the council's resilience work highlights this locality as one with poorer health outcomes than other more affluent wards.
- 4.7 This data has been used in the development of the Locality Plans to enable a placed based approach to all issues affecting communities being considered.

HWRC changes

- 4.8 A booking system was put in place at the HWRC as a response to the pandemic to ensure safe use, and to prevent queuing. Some additional benefits were realised in doing so including:
- Enabling access for only those living in Derby City or Derbyshire County
 - Greater controls to demonstrate our legal compliance with site permit regulations and reduction in non-compliant trade usage
 - Insight into visiting habits
- 4.9 Some residents find it difficult to use the system to book or to get a slot in peak demand times. To mitigate these issues booking availability has been increased at peak times such as bank holidays and telephone bookings have been taken, however this report seeks to make it easier for residents to use the site by providing a mix of bookable and open slots at the site.
- 4.10 The cost of managing waste at the HWRC reduced significantly following implementation of the booking system due to reductions in tonnes of waste collected at the site, however with an additional 216 tonnes of waste being collected from the streets there has been an increase in the cost of disposal for street cleansing. The net increase in waste disposal from all waste streams from 2019/20 to 202/23 is around £340k.
- 4.11 To provide a mix of bookable and open slots at the HWRC, the most practical option is to remove the booking system on the site for one day per week with Sunday, which is open from 12pm to 6pm, being a peak usage day and a day with minimal impact on local businesses and council waste operations.
- 4.12 The current HWRC booking system can be adapted to incorporate the hybrid approach to working and will remain in place for all other days.

- 4.13 Based on previous visitor numbers and the tonnages accepted historically, this level of open access is likely to generate approximately 825 tonnes of additional waste per year with an estimated cost of £46k to process.

In addition to this the resource costs from the waste contractor operating the site are estimated to be £95k. This brings the total cost to £141k in 2024/25 and will be subject to annual reviews.

Enforcement

- 4.14 National data for 2021/22 from the Department for Environment, Food and Rural Affairs (DEFRA) shows:
- Local authorities in England dealt with 1.09 million fly-tipping incidents.
 - Total incidents involving household waste were 671,000
 - The most common place for fly-tipping to occur was on highways (pavements and roads), which accounted for over two fifths (43%) of total incidents.
 - Local authorities carried out 507,000 enforcement actions
 - The number of fixed penalty notices issued was 91,000
 - The number of court fines issued nearly tripled from 621 in 2020/21 to 1,798
- 4.15 There is a broad consensus that environmental offences can have a negative impact on the local surroundings and can additionally shape the desirability of communities for residents, employees, visitors, businesses, and their commercial activities. This can also play a role in influencing the perception of safety and well-being among residents residing within a particular area.
- 4.16 Presently, Streetpride are responsible for the removal of fly-tipping incidents. This incurs substantial expenditure in terms of financial resources for the Council. This straightforward clearance approach fails to dissuade perpetrators from engaging in repeated offences and despite the positive improvement in fly tipping demand, the problem persists in the city. In Derby, the current cost related to the clearance of fly-tipping amounted to approximately £330k.
- 4.17 Public Protection Officers carry out investigations and issue penalties for fly tipping offences and as set out earlier in this report, the council's Environmental Protection Team is responsible for enforcing against waste on land offences with prosecutions taking place where offenders fail to pay the FPN charge issued for the offence.

Table 1 below shows enforcement activity for 2022/23:

TABLE 1: 2022/23 ENFORCEMENT ACTION

DEMAND	FPN Littering	FPN Fly Tipping	Waste on Land	Prosecution
NUMBER	80	143	216	17

- 4.18 With demands remaining high and financial challenges facing local authorities reducing capacity in teams across the sector a no cost option has been identified to increase enforcement capacity.

- 4.19 Following an exploratory exercise two external providers who possess substantial expertise in the field of environmental crime, boasting impressive track records of delivery have been identified. Both have collaborated with numerous Local Authorities throughout the UK and maintain partnerships with multiple councils engaged in similar activity. A procurement process would need to be carried out to select the provider for Derby.
- 4.20 The proposal recommends engaging a provider to initiate a 12-month pilot service. During the pilot, the council would grant authorisation for the provider to undertake certain facets of environmental enforcement excluding the prosecution of offenders. It's important to note that the council retains ultimate authority and accountability for such actions and will direct the work based on data, demand and the requirements of the service. The provider will deliver the pilot on a cost neutral basis with FPN payment receipt retention.
- 4.21 This additional capacity will enable the Public Protection Officers and Environmental Protection Team to work together to tackle some of the more challenging issues in the city including persistent waste on land.
- 4.22 A recent announcement from central government has enabled local authorities to increase penalties for environmental crime offences. To demonstrate the council's commitment to dealing with environmental crime and considering penalty levels across other local authorities Table 2 makes recommendations for amendments to charges:

OFFENCE TYPE	CURRENT PENALTY	PROPOSED PENALTY	EARLY PAYMENT RATE
LITTERING	£75	£150	£90
FLY TIPPING	£400	£600	£360

Public/stakeholder engagement

- 5.1 A survey of the council's HWRC operating model in 2021 showed that 68% of users were fairly satisfied/satisfied with the booking system and 25% of users were fairly dissatisfied/very dissatisfied with the system.
- 5.2 Users who reported as being satisfied with the system gave the following reasons: ease of use, availability of slots, preferable to queuing, more pleasant experience.
- 5.3 Users who reported as being dissatisfied with the booking system gave the following reasons: booking system unnecessary, difficult to use, restricts the use for people without access to the internet.

Other options

- 6.1 To fully remove the HWRC booking system would cost an indicative amount of £430k, this option would create an increased pressure on the council's finances and is not recommended.

- 6.2 To reinstate compactor days across the city would cost an indicative amount of £90k, this option would require additional resource and place an increased pressure on the council's finance and therefore is not recommended.
- 6.3 To remove the charge for all bookable bulky waste collections would lose all income to the service which is currently reported as £220k. This option would create an increased pressure on the council's finances and is not recommended.

Financial and value for money issues

- 7.1 The total indicative costs of implementing these changes are:

Removal of bulky waste charge for two weeks per year is estimated to reduce income to the service by an indicative £9k. This pressure will be contained within the service budget to be absorbed within the income generation target for chargeable services.

Removal of the HWRC booking system with the associated projected increase in waste tonnages and operational support on site is estimated to increase the cost to the service by an indicative £141k which will be absorbed into the current waste disposal cost as a pressure.

It is anticipated that this investment in the service should positively impact the £340k increase seen in street cleansing costs reported in section 4.10 as well as bringing wider benefits for communities in terms of improvements to public realm and has been included in the planning for the Council's MTFP.

Working with an external provider to increase enforcement capacity is estimated to be cost neutral.

Increasing the cost of FPN penalties will support the current enforcement income budgets.

Legal implications

- 8.1 Part II of the Environmental Protection Act 1990 (the 1990 Act) places obligations on the Council to make provision for waste generally and in the context of this report, its regulation, collection and disposal.
- 8.2 The 1990 Act also places duty of care obligations on householders to dispose of their waste responsibly. It also provides guidance to local authorities on enforcement for waste crime offenses.
- 8.3 Raynesway Household Waste Recycling Centre (HWRC) is a facility provided for residents to deposit their own household waste.

Climate implications

- 9.1 Properly disposing of waste has a key impact on the climate agenda by enabling current processing and recycling of waste in line with the waste hierarchy



Socio-Economic implications

10.1 Three key wards with a disproportionate amount of waste demand have been identified within this report.

Other significant implications

11.1

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	Olu Idowu	20/11/23
Finance	Janice Hadfield	20/11/23
Service Director(s)	Sam Dennis	20/11/23
Report sponsor	Sam Dennis	20/11/23
Other(s)		

Background papers:

List of appendices: