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Y Rhadyr
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NP15 1GA

Dydd Llun, 7 Hydref 2019

Notice of meeting

Pwyllgor Craffu Cymunedau Cryf

**Dydd Mawrth, 15fed Hydref, 2019 at 3.00 pm,
Council Chamber, County Hall, The Rhadyr USK - County Hall, The
Rhadyr, Usk**

Please note that a pre meeting will be held 30 minutes before the start of the meeting for members of the committee.

AGENDA

Item No	Item	Pages
PART A – SCRUTINY AND CRIME DISORDER MATTERS		
No matters to discuss		
PART B – STRONG COMMUNITIES SELECT COMMITTEE		
1.	Ymddiheuriadau am absenoldeb	
2.	Datganiadau o Fuddiant	
3.	Strategaeth Sbwriel / Polisi Gwastraff a Chasgliadau a Safleoedd Amwynderau Dinesig I ystyried strategaeth sbwriel Sir Fynwy sy'n gyson â'r Strategaeth Sbwriel Genedlaethol sy'n cael ei datblygu ar y cyd â sefydliad Cadwch Gymru'n Daclus. Adroddiad cynnydd ar: <ul style="list-style-type: none">Goblygiadau'r Polisi Casglu Gwastraff newyddEffaith cyflwyno trwyddedau i'r Ganolfan Gwastraff Cartref ac AilgylchuEffaith cau rhai o'r Canolfannau Gwastraff Cartref ac Ailgylchu a'r cyfeiriad posibl ar gyfer y gwasanaethau hyn	1 - 24
4.	Cadarnhau dyddiad ac amser y cyfarfod nesaf	

Paul Matthews

Prif Weithredwr

CYNGOR SIR FYNWY

THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillors:

P. Clarke
L.Dymock
D. Dovey
A. Easson
L. Guppy
R. Harris
V. Smith
J.Treharne
A. Webb

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Welsh Language

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Aims and Values of Monmouthshire County Council

Our purpose

Building Sustainable and Resilient Communities

Objectives we are working towards

- Giving people the best possible start in life
- A thriving and connected county
- Maximise the Potential of the natural and built environment
- Lifelong well-being
- A future focused council

Our Values

Openness. We are open and honest. People have the chance to get involved in decisions that affect them, tell us what matters and do things for themselves/their communities. If we cannot do something to help, we'll say so; if it will take a while to get the answer we'll explain why; if we can't answer immediately we'll try to connect you to the people who can help – building trust and engagement is a key foundation.

Fairness. We provide fair chances, to help people and communities thrive. If something does not seem fair, we will listen and help explain why. We will always try to treat everyone fairly and consistently. We cannot always make everyone happy, but will commit to listening and explaining why we did what we did.

Flexibility. We will continue to change and be flexible to enable delivery of the most effective and efficient services. This means a genuine commitment to working with everyone to embrace new ways of working.

Teamwork. We will work with you and our partners to support and inspire everyone to get involved so we can achieve great things together. We don't see ourselves as the 'fixers' or problem-solvers, but we will make the best of the ideas, assets and resources available to make sure we do the things that most positively impact our people and places.

Monmouthshire Scrutiny Committee Guide

Role of the Pre-meeting

1. Why is the Committee scrutinising this? (background, key issues)
2. What is the Committee's role and what outcome do Members want to achieve?
3. Is there sufficient information to achieve this? If not, who could provide this?
 - Agree the order of questioning and which Members will lead
 - Agree questions for officers and questions for the Cabinet Member

Questions for the Meeting

Scrutinising Performance

1. How does performance compare with previous years? Is it better/worse? Why?
2. How does performance compare with other councils/other service providers? Is it better/worse? Why?
3. How does performance compare with set targets? Is it better/worse? Why?
4. How were performance targets set? Are they challenging enough/realistic?
5. How do service users/the public/partners view the performance of the service?
6. Have there been any recent audit and inspections? What were the findings?
7. How does the service contribute to the achievement of corporate objectives?
8. Is improvement/decline in performance linked to an increase/reduction in resource? What capacity is there to improve?

Scrutinising Policy

1. Who does the policy affect ~ directly and indirectly? Who will benefit most/least?
2. What is the view of service users/stakeholders? Do they believe it will achieve the desired outcome?
3. What is the view of the community as a whole - the 'taxpayer' perspective?
4. What methods were used to consult with stakeholders? Did the process enable all those with a stake to have their say?
5. What practice and options have been considered in developing/reviewing this policy? What evidence is there to inform what works?
6. Does this policy align to our corporate objectives, as defined in our corporate plan?
7. Have all relevant sustainable development, equalities and safeguarding implications been taken into consideration? For example, what are *the procedures that need to be in place to protect children*?
8. How much will this cost to implement and what funding source has been identified?
9. How will performance of the policy be measured and the impact evaluated.

Questions for the Committee to conclude...

Do we have the necessary information to form conclusions/make recommendations to the executive, council, other partners? If not, do we need to:

- (i) Investigate the issue in more detail?
- (ii) Obtain further information from other witnesses – Executive Member, independent expert, members of the local community, service users, regulatory bodies...
- (iii) Agree further actions to be undertaken within a timescale/future monitoring report...

General Questions....

Empowering Communities

- How are we involving local communities and empowering them to design and deliver services to suit local need?
- Do we have regular discussions with communities about service priorities and what level of service the council can afford to provide in the future?

Service Demands

- How will policy and legislative change affect how the council operates?
- Have we considered the demographics of our council and how this will impact on service delivery and funding in the future?

Financial Planning

- Do we have robust medium and long-term financial plans in place?
- Are we linking budgets to plans and outcomes and reporting effectively on these?

Making savings and generating income

- Do we have the right structures in place to ensure that our efficiency, improvement and transformational approaches are working together to maximise savings?
- How are we maximising income? Have we compared other council's policies to maximise income and fully considered the implications on service users?
- Do we have a workforce plan that takes into account capacity, costs, and skills of the actual versus desired workforce?

SUBJECT: NEIGHBOURHOOD SERVICES UPDATE ON LITTER AND WASTE COLLECTIONS POLICY, RECYCLING REVIEW AND IMPACT ON HOUSEHOLD WASTE RECYCLING CENTRES FROM PERMITS AND DAY CLOSURES

MEETING: STRONG COMMUNITIES SELECT

DATE: 15TH OCTOBER 2019

DIVISION/WARDS AFFECTED: ALL

1. PURPOSE:

To provide Strong Communities Select with an update on litter and collections policies and impact of changes to waste services since March 4th 2019.

2. RECOMMENDATIONS:

- 2.1 To recommend the revised Litter Strategy and Collections Policy be taken to Cabinet for formal adoption.
- 2.1.1 To review the impact of changes to waste services and make recommendations for future projects development to increase recycling and support climate change emergency

3. KEY ISSUES: LITTER STRATEGY

- 3.1 As reported to Strong Communities Select in June 2019 the progress on the Litter Strategy was deferred while the outcome of the Keep Wales Tidy “Caru Cymru” grant funding bid was decided. The volume of work and additional resources necessary to implement the recycling review change have also had a substantial impact on the team’s ability to progress other work streams.
- 3.2 The Litter Strategy was developed in 2018 to match the aspirations and expectations of the Litter Champions with a strategically funded program of works. The Litter Strategy sets out an aspiration for a litter free county but needs tangible projects and milestones to measure success against. The program of works being developed by KWT at a national level will be a key driver of funding allocation.
- 3.3 Funding of £115k for these projects was cut from the WG grants program and combined with RDP funding with the view of developing a national collaborative project to deliver litter reduction support under the Enabling Natural Resources and Well-Being in Wales (ENRaW) grant. The grant was also designed to support collaborative

programs for biodiversity, countryside access and climate change and these programs are on hold.

- 3.4 There was a need to align any Council Strategy with the national Caru Cymru program and priorities to draw down funding of £30k. Given the complexity for collaborative bids and the uncertainty of ENRaW funding long term this has proved to be a prudent course of action.
- 3.5 Confirmation of funding of £30,000 was received in August 2019 and confirmation of projects that would be supported as part of the strategy have now been confirmed and will be the priority measures for MCC Litter Strategy going forward. Funding was confirmed in 3 year tranches but we were informed last week that a new application is now needed:-
- Dog fouling (years 1,2,3)
 - Fly tipping (years 2,3)
 - Roadside litter (year 3)
- 3.6 The Civil Enforcement Officers for Parking have been trained to issue Fixed Penalty Notices for Litter and Dog fouling but priority focus is illegal and dangerous parking. The introduction of additional Waste Wardens may be able to deliver limited support for litter and dog fouling enforcement but the priority is increasing recycling and domestic waste collection issues. We will continue to lobby for regional litter enforcement teams funded through Caru Cymru and managed by Keep Wales Tidy.
- 3.7 Whilst the progress on the adoption of the Litter Strategy was on hold, project work has continued and includes :-
- Creation of Town Team in Chepstow to improve the appearance of the Town Centre and surrounding wards. This will improve the local environmental quality by reducing litter and fly-tipping, maintenance of street furniture including signs, bins, benches and improving pollinator habitat of open and green spaces, litter bin rationalisation to remove open top bins and reduce fly blown litter into River Wye.
 - Trial of litter bins in 2 lay-bys on A40 Raglan to Abergavenny. The bins have seen a reduction in litter but an increase in domestic and commercial waste being left next to the bins. New signs have been placed on the bins to discourage waste other than litter and we will continue to monitor going forward. If a reduction in litter along this main arterial route is successful we will roll out bins to other laybys. WG are in the process of re-designating “road side rest areas” as laybys and this will increase our costs in managing and cleansing these areas.
 - Restructure of Neighbourhood Services will create a Green Infrastructure and Litter Team to support the Litter Strategy, Tree Policy, Caru Cymru and climate change emergency projects going forward.
 - Greater support for the Community Improvement Prison Teams to deliver additional cleansing of roadside verges and un-adopted land.

- Climate change emergency group of Members, Officers and community champions to be established and reduction of single use plastics and litter is likely to be key task and finish projects
- County wide anti-litter campaign for 2020, evidence from the Llanvihangel Crucorney project shows reduction in litter where targeted messages are used. Keep Wales Tidy are working with Cardiff University to measure impact and effectiveness of targeted messaging and we are keen to get them involved in MCC projects.

KEY ISSUES: COLLECTIONS POLICY

- 3.8 The collections policy was brought to Strong Communities Select in March 2019 and Members agreed that *“feedback from the current changes to the system should be brought back to Select Committee before finalising the policy. The Head of Waste Services agreed this would allow time to reflect on the new in-cab systems being implemented.”*
- 3.9 Waste & street services operates a highly visible front line service to the public. Many of the operational customs and practices have been in place for a number of years. There has not been a unified policy detailing these processes for both operations and the public. The department receives a high volume of queries and enquiries in relation to waste collection policies and many of these involve the application of discretion and interpretation by individuals responding which can lead to inconsistency.
- 3.10 The recycling review changes highlighted the need for clear waste and recycling collection policies. The review changes created a substantial amount of additional workload that may have been reduced had clear policies been in place. Missed collections reported to the Contact Centre were non-presented and contaminated recycling and waste and this could have been dealt with at first contact. Policy details on MontyBot, at the Contact Centre and hubs would have been consistent with waste officer responses to residents.
- 3.11 The Waste Collection Policy, the Garden Waste Policy and the Fly-tipping Policy were presented to Members in March. Members were keen to understand the impact the in-cab systems would have on staff and also requested the Enforcement Policy be included before endorsing a formal adoption approach.
- 3.12 The Enforcement Policy is attached in Appendix 1.
- 3.13 The in-cab system is now in all vehicles and ready to go live, the system has been trialed in the garden waste vehicles and although there were some minor technical issues the overall feedback is positive. To ensure the in-cab system functionality is utilised the Collections Policies need adoption. The in-cab system does create additional workload for teams and back office in the initial period but long term will reduce duplication and unnecessary workload. (Appendix 2 slides of incab system)

- 3.14 The in-cab system will give the Contact Centre, Hubs and back office real time data on waste collections, contamination, non-presentation, road works, vehicle breakdowns etc and should improve the information the customer receives at the point of contact and reduce escalation of complaints.

KEY ISSUES: RECYCLING REVIEW

- 3.15 The recycling review changes on March 4th 2019 were the biggest single set of operational changes undertaken in waste and recycling collections in Monmouthshire. Every household had changes to collection schedules, we moved from collecting three separate waste and recycling streams to six, we changed the entire fleet to new vehicles and we changed the bulking system for separating waste at the transfer stations.
- 3.16 For most residents the changes resulted in a collection day change and the introduction of a fortnightly glass box collection. Members were keen to maximise the waste separation, limit impact on residents and keep the integrity of red and purple bag collections. Whilst the operational changes were huge the majority of residents would have been unaware of the scale.
- 3.17 The review changes were, for the vast majority of residents, successful and implemented without any issues. There have been a much larger number of problems than we could have anticipated and this did impact negatively on certain rounds with some individuals having missed collections continuously over the first two months of changes.
- 3.18 We complete 80,000 household collections every week. On an average week we will collect 4 different materials from every house meaning 320,000 separate collections every week. Missed collections rose from 1800 in 2018 to 7500 in the same period in 2019 (appendix 3) and are now returning to normal. The introduction of 6 waste streams from 3 means there are now additional forms for missed collections but it is not clear if this has impacted on numbers.
- 3.19 The issues have been well documented and as Head of Service I have made several public apologies to the residents affected. The teams and crews did their utmost to resolve the issues and ensure the services were delivered to the majority efficiently. Some of the challenges faced were :-
- Late arrival of trucks despite a 12 month lead in time and procurement penalties for delays on delivery (water levels in the Rhine impacted on vehicles moving across Europe)
 - Royal Mail batch delivery of letters meant some letters did not arrive when planned (could have been anticipated and lessons learnt)
 - Delivery of glass boxes were done by area rather than crews meaning lots of rural properties were missed (lesson learnt)
 - Access review based on similar vehicles but not exact, extra few inches in width and length created issues (difficult to anticipate as bespoke design)

- Mapping detail for crews was too small especially on garden waste collections where the point to point service covered larger areas (resolved with more detailed maps but garden waste remains difficult to plot at a reasonable size)
- Rounds sizes were overly challenging (based on pilot with additional capacity included for fortnightly glass and returning containers. Collection takes similar time to full kerbside sort and could not be anticipated)
- Data sets for tonnages and collections capacity are averaged across the county but some wards have huge anomalies in participation and set out rates. (specific participation data will be collected for future changes)
- Reduction in staffing levels at Contact Centre as part of channel shift to MontyBot caused delays for residents contacting by phone. WSS shut down certain forms access to review data and added to phone contact (WSS contributed to additional staff to cover)
- Mapping data on Local Info did not pull through correctly from GIS system and added to number of calls received
- Missed collections reported through MyCouncilServices were collected but without human intervention recurring issues went unidentified and residents became annoyed at lack of permanent resolution (system was tweaked for July 29th changes and an extra link with human intervention was included)
- Slow response times dealing with missed collections and meant duplicate calls and more complaints regarding same issues.

3.20 Rounds were rescheduled on July 29th and resulted in substantial reduction in missed collections. Every missed collection is investigated and residents were contacted where any repeats were identified.

3.21 Polypropylene bag trial has been substantially reduced to ensure the problems encountered on recycling review are not repeated. Planned for 2000 houses in mid-November.

3.22 Delays in improvements on Five Lanes transfer station have not allowed us to maximise reductions in reprocessing costs. Pre- recycling review treatment costs for recycling and composting of kerbside material was £1.2m, post – recycling review £700k.

3.23 Garden waste rounds remain a challenge as the set out rate is hugely dependant on weather. Maintaining the existing pricing structure for 2020 for residents affected by lack of service in 2019 remaining loyal customers is preferable. Longer term a move to wheeled bin service and fortnightly collections would ensure the service remains viable for the council and affordable for residents. The closures of HWRC sites means residents rely on this service more than before.

KEY ISSUES: HOUSEHOLD WASTE RECYCLING CENTRE CLOSURES AND PERMITS

3.24 As part of medium term financial plan budget the decision was taken to introduce resident permits and day closures across the sites. Surveys carried out in 2018 identified an increase in numbers of cross border waste visitors due to policy changes in neighbouring counties. Black bag sorting in Torfaen and Blaenau Gwent resulted in

substantial drops in tonnage into their sites, garden waste charging and removal of communal garden skips and 3 weekly waste collections in Powys and the reduced capacity for domestic waste in Newport all added to waste entering Monmouthshire.

- 3.25 Both closures and permits were introduced in June 2019 and appeared to run smoothly for vast majority of residents. Issues with delivery of permits to some areas that were consistent with issues on recycling review will be monitored on future mail outs.
- 3.26 During the first month, a meet and greet service was in place, with a private security firm covering the week and WSS staff covering the weekends. This relieved a lot of pressure on Viridor staff in dealing with complaints and explaining the rationale for service changes.
- 3.27 The majority of requests and complaints regarding the permits have been received from residents outside the county. Whilst we understand and appreciate that these changes have had a negative impact on those individuals it has reduced the waste entering the sites substantially. A reduction of 500 tonnes in black bags during the first 3 months have saved the authority £50,000 in disposal costs. This is in stark contrast to the notion that out of county visits were recycling only.
- 3.28 The outcome of changes have impacted recycling tonnages and there has been a reduction of 1000 tonnes of garden waste, rubble, wood waste that has saved an additional £30,000 but negatively impacted Monmouthshire's recycling rate.
- 3.29 Residents from out of county can use the weighbridge facilities at Llanfoist and Five Lanes and costs have been provided. This helps tackle some of the issues raised regarding impact on climate change and we will continue to investigate opportunities for collaboration.
- 3.30 Additional interventions at sites are likely to be necessary if we are to exceed the 70% target in 2025. The 64% target this year will be very challenging given the drop in out of county recyclables but savings on budgets can be reinvested to increase the range of materials we recycle on site. Mattresses and hard plastics will improve recycling rates but are expensive to introduce.
- 3.31 The recycling rates across the 4 sites are :-
- Llanfoist 68%
 - Five Lanes 62%
 - Mitchel Troy 54%
 - Usk 45%

To achieve 70% we need all 4 sites meeting 70% recycling.

- 3.32 It is clear from interventions in neighbouring authorities that black bag sorting on site substantially increases recycling on site and at the kerbside. Composition analysis of black bag material from Usk HWRC in September is below.

Food	38%
Textiles	8%
Paper/card	8%
Garden	4%
DIY recyclable	3%
Glass	3%
Metal	2%
Other recyclable	1%
DIY non-recyclable	3%
Residual	31%

It shows that at least 50% of the black bag material entering the site should have been recycled at the kerbside. It is likely that another 31% could have gone into residual collections if residents used the recycling services fully. There is very little correlation in this data that easy access to sites increases recycling or reduces impact on climate change emergency.

- 3.33 Potential solutions could be recycling only facilities with no skips for residual waste at the smaller sites and black bag sorting at the larger sites to drive up recycling rates. This would mean more recycling capacity at Usk and Mitchel Troy and reduce temporary site closures.
- 3.34 Day closures and permits at Mitchel Troy have not improved the temporary closure situation and a large number of complaints were received during the summer regarding this. It is a constant bugbear for residents in Monmouth and given the topography of the site there is no expansion opportunities. A new Facebook page announcing closures appears to be helping but does not resolve the fundamental issue that the site is too small to accept all the waste streams it currently does.
- 3.35 There has been an increase in reported flytipping during 2019 but this may be an increase in awareness following national campaigns in January 2019 and the promotion of the MCS forms and Appy with the introduction of MontyBot. The spike is at the beginning of the year prior to changes being introduced. We will continue to monitor this going forward.

4. OPTIONS APPRAISAL

- 4.1 The options appraisals regarding the implementation of the recycling review and HWRC changes was appended to the original reports
- 4.2 Options appraisals for collections policy and litter strategy were included with the reports that Strong Communities Select have previously commented on and will be updated based on recommendations from this meeting.

5. EVALUATION CRITERIA

- 5.1 Improvements in recycling rates and reductions in costs are the main drivers for changes to recycling and waste services going forward.
- 5.2 An improvement in local environmental quality and a reduction in litter and flytipping are the key performance indicators for the Litter Strategy
- 5.3 Increase in customer satisfaction and reduction in complaints will be used to evaluate the impact of the Collections Policies

6. REASONS:

- 6.1 This is an update report as requested by Strong Communities Select. It gives an opportunity for Members to understand the challenges moving forward on the waste agenda and have input into future direction at the earliest stage.

7. RESOURCE IMPLICATIONS:

- 7.1 There are no direct resource implications regarding this update report. Any future work programs and service reviews will be fully costed and resource implications will be included.

8. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING):

- 8.1 The report does not seek to amend or add to the policies or services that direct the nature of services provided to the public. The report is an update of existing work programs and as such a Future generations and Equality assessment is not considered appropriate or of relevance in this instance.

9. CONSULTEES:

Strong Communities Select

10. BACKGROUND PAPERS:

11. AUTHOR: Carl Touhig

12. CONTACT DETAILS:

Tel: 01633 644135

Appendix 1

Updated Enforcement Policy

Monmouthshire County Council

Waste and Street Services Enforcement Policy

1. **Introduction**

Fair and effective enforcement is essential to protect the health, safety and interests of the residents, visitors and businesses of the Monmouthshire area. The appropriate use of enforcement powers, including prosecution, is important, both to secure compliance with the law and to ensure that those who have duties under it may be held to account for failures to safeguard health and safety.

This enforcement policy sets out the general principles and approach that officers within the WSS Section follow when carrying out enforcement work. By applying the same principles, everyone involved in the process is helping to treat stakeholders fairly and effectively.

All authorised officers, when making enforcement decisions, will abide by this policy. Any departure from this policy must be exceptional, capable of justification and must be approved by the WSS Manager.

2. **Purpose and Method of Enforcement**

- 2.1. This policy applies to the enforcement activities undertaken by Waste and Street Services Officers.

The term “enforcement” has a wide meaning and applies to all dealings between authorised officers and those on whom the law places duties. This is not limited to formal enforcement action, such as prosecution and includes, for example, checking compliance with Acts and Regulations and the provision of advice to aid compliance.

- 2.2. The purpose of enforcement is to:-

- * ensure that duty holders take action immediately
- * promote and achieve sustained compliance with the law
- * ensure that duty holders who breach statutory requirements, may be held to account, which may include bringing alleged offenders before the courts.

- 2.3. The authorised officers have a range of tools at their disposal in seeking to secure compliance with the law and to ensure a proportionate response to criminal offences. Authorised officers may offer duty holders information and advice, both face to face and in writing. This may include warning a duty holder that in the opinion of the officer, they are failing to comply with the law. Where appropriate, officers may also serve statutory notices including fixed penalty notices, issue formal cautions and prosecute where necessary.

- 2.4. Authorised officers must use discretion in deciding when to investigate or what enforcement action may be appropriate. This policy includes information on the decision making process which officers must follow when deciding on enforcement action. Further details may be found in the relevant Monmouthshire County Council enforcement procedure. Monmouthshire County Council expects that judgements will be made in accordance with the following principles. These are in accordance with the enforcement concordat agreed between Government and Local Authority Associations.

2.5 The authority has regard to the Regulators' Code in undertaking its enforcement activities.

3. Principles of Enforcement

Monmouthshire County Council believes in firm but fair enforcement of legislation.

This should be informed by the principles of proportionality in applying the law and securing compliance; consistency of approach; targeting of enforcement action; transparency about how the regulator operates and what those regulated may expect; and accountability for the regulator's actions. These principles should apply both to enforcement in particular cases and to the Council's management of enforcement activities as a whole.

3.1. Proportionality

Proportionality means relating enforcement action to the risks involved. Any action taken by authorised officers to achieve compliance should be proportionate to any risks involved, or to the seriousness of any breach.

Some legislative requirements are specific and absolute, others require action so far as is reasonably practicable or only where necessary. Some commercial operations will also have a defence under the law, such as 'best practicable means'.

Deciding what action is necessary to control risks to public health and the environment involves the exercise of judgement. Officers must take account of the degree of risk on the one hand and on the other the sacrifice, whether in money, time or trouble, involved in the measures necessary to avert the risks to health and the environment. Unless it can be shown that there is gross disproportion between these factors and that the risk is insignificant in relation to the cost, the duty holder must take measures and incur costs to reduce the risk.

When assessing compliance with legislation officers should have regard to current good practice and available guidance material eg Industry Guides, Codes of practice, etc. Ultimately, the courts decide what is reasonably practicable/necessary in particular cases.

3.2. Targeting

Targeting means making sure that enforcement activity is targeted primarily on those whose activities give rise to the most serious risks or where the hazards are least well controlled; and that action is focused on the duty holders who are responsible for the risk and who are best placed to control it – whether employers, residents or others.

Reactive investigations or requests for service are prioritised according to relative risk by the investigating officer. It is Monmouthshire County Council's policy that all requests for service are responded to within five working days.

3.3. Consistency

Consistency of approach means taking a similar approach in similar circumstances to achieve similar ends.

Guidance is provided for authorised officers on appropriate enforcement methods within this policy and in the various documented Monmouthshire County Council procedures.

In order to secure a consistent approach between officers in interpreting relevant guidance WSS will work closely with officers from Environmental Health.

Other internal quality assessment arrangements include:-

- * 'file review' programme to monitor post inspection paperwork
- * annual performance review
- * joint visits with line manager
- * benchmarking of performance with other local authorities

Effective liaison arrangements are also in place between Monmouthshire County Council and other enforcing bodies. Where formal arrangements exist a designated officer will attend regional group meetings. Issues of enforcement method, interpretation of

legislation, etc are discussed to ensure a consistent approach throughout South East Wales. Where formal liaison groups have not been established informal liaison arrangements have been forged with neighbouring authorities.

3.4. Transparency

Transparency means helping duty holders to understand what is expected of them and what they should expect from the local authority. It also means making clear to duty holders not only what they have to do but, where this is relevant, what they don't. That means distinguishing between statutory requirements and advice or guidance about what is desirable but not compulsory.

Duty holders, employees, residents and others need to know what is expected of them when they are contacted by an authorised officer. In particular:

- * when officers offer duty holders information, or advice, face to face or in writing, including any warning, officers will tell the duty holder what to do to comply with the law, and explain why. Inspectors will, if asked, write to confirm any advice and must distinguish legal requirements from best practice advice
- * in the case of statutory notices the inspector will discuss the notice and, if possible, resolve points of difference before serving it. The notice will say what needs to be done, why, and by when, and that in the inspector's opinion a breach of the law has been committed

In addition, where enforcement action is initiated, duty holders must be clear on what rights of complaint are open to them. Where appropriate written correspondence must contain details on who to contact in case of disagreement with the enforcing officer and all statutory notices must contain information on how to appeal.

3.5. Accountability

Regulators are accountable to the public for their actions. Monmouthshire County Council therefore has policies and standards against which they can be judged and an effective and easily accessible mechanism for dealing with comments and handling complaints.

The details of Monmouthshire County Council's procedure for handling complaints are set out in the Monmouthshire County Council Complaints Procedure document.

Where appropriate written correspondence must contain details on who to contact in case of disagreement with the enforcing officer and all statutory notices must contain information on how to appeal.

4. **Enforcement Options**

4.1. Officers will select the most appropriate enforcement procedure to take after having considered all the issues of the case. Enforcement decisions will be consistent, balanced, fair and relate to standards that ensure the public or the environment is properly protected. The criteria to be considered will include:

- * the seriousness of the offence
- * the history of the activity
- * confidence in achieving compliance
- * the consequences of non-compliance
- * the likely effectiveness of the various enforcement options

4.2. After considering the criteria the following options are available:-

- * to take informal action
- * to serve statutory notices
- * to issue formal cautions
- * to prosecute

A staged approach to enforcement should always be adopted and persons or businesses should be given the opportunity to discuss and remedy problems before action is taken, unless circumstances require immediate action, for example to secure public and environmental health/safety.

5. Prosecution

The recommendation to pursue a prosecution will be made by an authorised officer after consultation with the WSS Manager. The Council's solicitor will be consulted on the quality and adequacy of evidence and other legal issues raised. The criteria for the issue of proceedings are:

- * the alleged offence involves a flagrant breach of the law such that the public is or has been put at risk or irreversible damage has resulted
- * there has been a reckless disregard for the environment
- * the alleged offence involves deception which may or may not result in loss or potential loss to public funds
- * the alleged offence involves a failure to correct an identified potential risk having been given a reasonable opportunity to do so by an officer
- * the alleged offence involves a failure to comply either in part or in full with the requirements of a statutory notice
- * there is a history of similar offences
- * a formal caution has been offered and refused
- * the prosecution is in the public interest and it is desirable to reassure the public or deter other offenders.

All prosecutions will be conducted in accordance with normal legal procedures, including the Code of Practice for Crown Prosecutors and will take account of the Police and Criminal Evidence Act, the Criminal Procedures and Investigations Act, and the Human Rights Act. All relevant evidence will be considered and there will be a realistic prospect of obtaining a conviction.

Before the final decision to proceed is taken regard must be had to the prosecution criteria listed below.

i) Evidence Sufficiency

A prosecution must not be started or continued unless there is admissible, substantial and reliable evidence that a criminal offence known to the law

has been committed by an identifiable person or company. There must also be a realistic prospect of conviction.

ii) Public Interest Criteria

Following consideration of the above items, once an enforcement officer is satisfied that there is sufficient evidence to provide a realistic prospect of conviction, there must also be a positive decision based on relevant criteria, that it is in the public's interest to prosecute. For this purpose, regard shall be had to the Code for Crown Prosecutors issued by the Crown Prosecution Service.

5.4. Cautions

A caution may be offered as an alternative to prosecution. A caution may be offered where there is sufficient evidence that an offence has been committed and:

- * consideration of the aforementioned Public Interest Criteria presumes in favour of not prosecuting the offender and/or
- * where an offence is not carried out wilfully or maliciously; there is no previous history of similar offences and there is a positive attitude to rectify and prevent further offences on the part of the offender.

Prior to issuing a caution in order to safeguard the suspected offenders interests, the following conditions must be fulfilled:

- * there must be evidence of the suspected offenders guilt sufficient to give a realistic prospect of conviction
- * the suspected offender must admit the offence
- * the suspected offender must understand the significance of the caution and give an informed consent to being cautioned.

The use of cautions by Waste and Street Services will be in accordance with Monmouthshire County Council's written procedures and Home Office Guidance.

6. **Monitoring & Review**

This policy will be monitored and reviewed by the Environmental Health Manager and Senior Environmental Health Officers in the course of their line management supervision.

Instances of non-compliance with this policy will be recorded and reported to the Environmental Health Manager, who will instigate appropriate action.

7. **What we will enforce**

Neighbourhood Services will undertake enforcement actions in relation to the following areas:

Domestic and commercial missed presentation of waste, examples might include:

- Using the wrong receptacle for recycling and waste
- Repeatedly putting waste out for collection on the wrong day.
- Repeatedly putting waste out in the incorrect place
- Contaminating recycling by placing the wrong materials within the receptacle
- Putting out too much waste – the Council currently operates a 2 bag maximum on household rubbish.
- Household waste in public litter bins
- Failure to provide a Duty of Care Waste Transfer Note duty of care, failure to have a properly organised waste carrier or evidence of a waste transfer note.

8. **How will we enforce**

Where issues are identified, this will trigger the first part of the process.

Informal Action Letter – letter identifies the issue, the resolution process and how to deal with waste correctly going forward

Formal warning letter – letter identifies issue as more serious or where repeated offence has occurred. Notices are to the person at specific address

Final warning and Section 46 notices – letter sets out impact if behaviour continues and is first stage of process that can lead to issue of Fixed Penalty Notice. Gives information on how to appeal and what must be done in relation to waste storage at the address.

Fixed Penalty Notice – £100 issued to resident and payable to MCC

Court – for not paying FPN or prosecution for the original offence or where offence is more serious, payable to the Court and expenses to MCC

Appendix 2

Web Aspx and Incab Screen shots

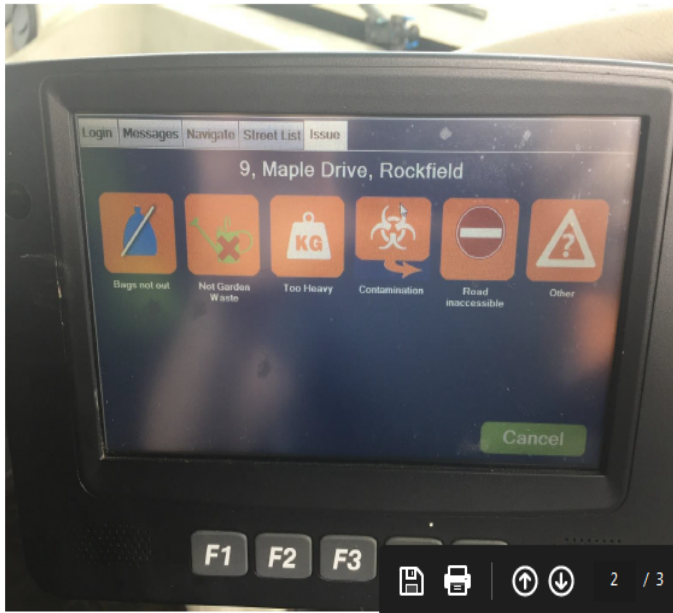
In-cab system

The screenshot shows a tablet interface for a collection round. At the top, there are tabs for 'Login', 'Messages', 'Navigate', 'Street List', and 'Collections'. The main display is a grid of 8 property cards, each with a blue checkmark in the bottom right corner. The properties are:

8 The Bungalow, Wonastow Road, Monmouth	73, Wonastow Road, Monmouth	9, Maple Drive, Rockfield	10, Jordan Gardens, Rockfield
8, Maple Drive, Rockfield	71 The Willows, Wonastow Road, Monmouth	7, Lilac Drive, Rockfield	7, Maple Drive, Rockfield

At the bottom of the screen, there are navigation buttons: 'S-', 'P-', '0', 'P+', 'S+'. Below these, it says 'All streets' and 'Closest Property is 5.627 miles'. At the very bottom of the tablet, there are five physical buttons labeled 'F1', 'F2', 'F3', 'F4', and 'F5'.

- Displays all properties on collection round
- Displays the 8 nearest properties to the location of the vehicle
- Displays assisted collections/extra allocations/other info



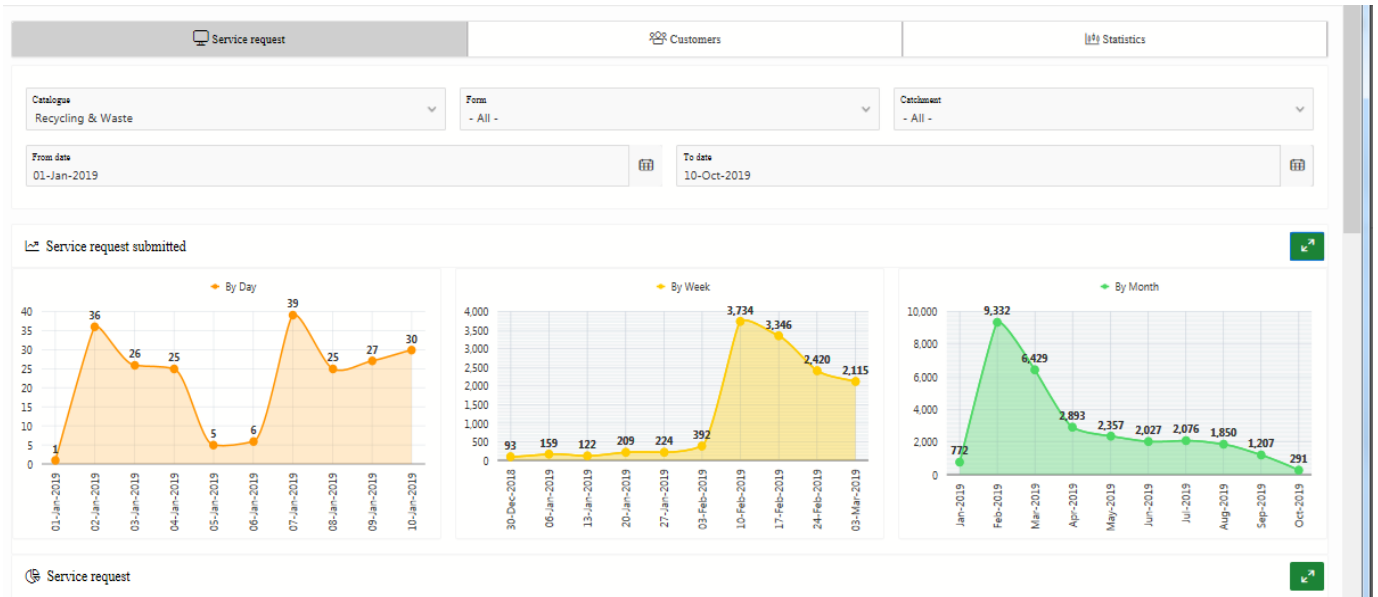
- Allows crews to report on any property or street on their round
- Reports can be on non-presented waste, contamination in recycling, heavy bags...
- Crews can report in real time back to the office/customer

Contact centre/ back office view

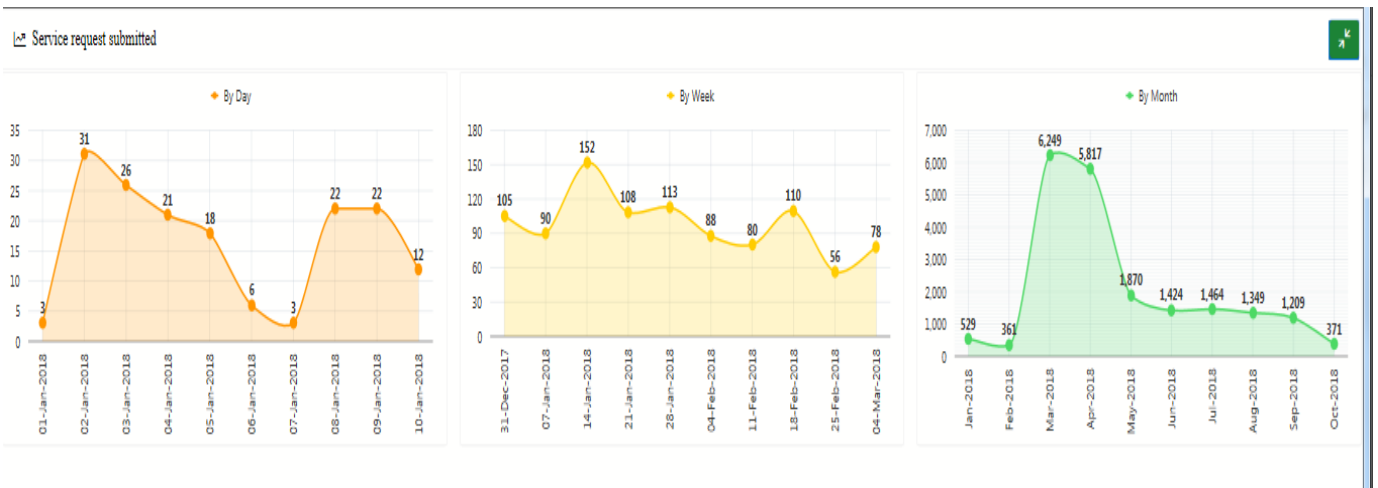
Issue	Search House No / Name	Streetname	Town	Postcode	UPRN	Round	Location	Date	Time
Bags not out	27	KNOLL ROAD ABERGAVENNY	Abergavenny	NP7 7AN	100100270460	Mon Week1 Organic R		04Mar19	16:05
Bags not out	34	BELGRAVE ROAD ABERGAVENNY	Abergavenny	NP7 7AG	10033335937	Mon Week1 Organic R		04Mar19	16:05
Bags not out	30	BELGRAVE ROAD ABERGAVENNY	Abergavenny	NP7 7AG	100100269346	Mon Week1 Organic R		04Mar19	16:05
Bags not out	8	KNOLL ROAD ABERGAVENNY	Abergavenny	NP7 7AN	100100270465	Mon Week1 Organic R		04Mar19	16:05
Bags not out	15	KNOLL ROAD ABERGAVENNY	Abergavenny	NP7 7AN	100100270469	Mon Week1 Organic R		04Mar19	16:02
Bags not out	20	KNOLL ROAD ABERGAVENNY	Abergavenny	NP7 7AN	100100270471	Mon Week1 Organic R		04Mar19	16:02
Bags not out	8	MEADOW LANE ABERGAVENNY	Abergavenny	NP7 7AY	100100270635	Mon Week1 Organic R		04Mar19	15:56
Bags not out	31	CRESTA ROAD ABERGAVENNY	Abergavenny	NP7 7AU	100100269746	Mon Week1 Organic R		04Mar19	15:39
Bags not out	29	CRESTA ROAD ABERGAVENNY	Abergavenny	NP7 7AU	100100269745	Mon Week1 Organic R		04Mar19	15:39

Appendix 3

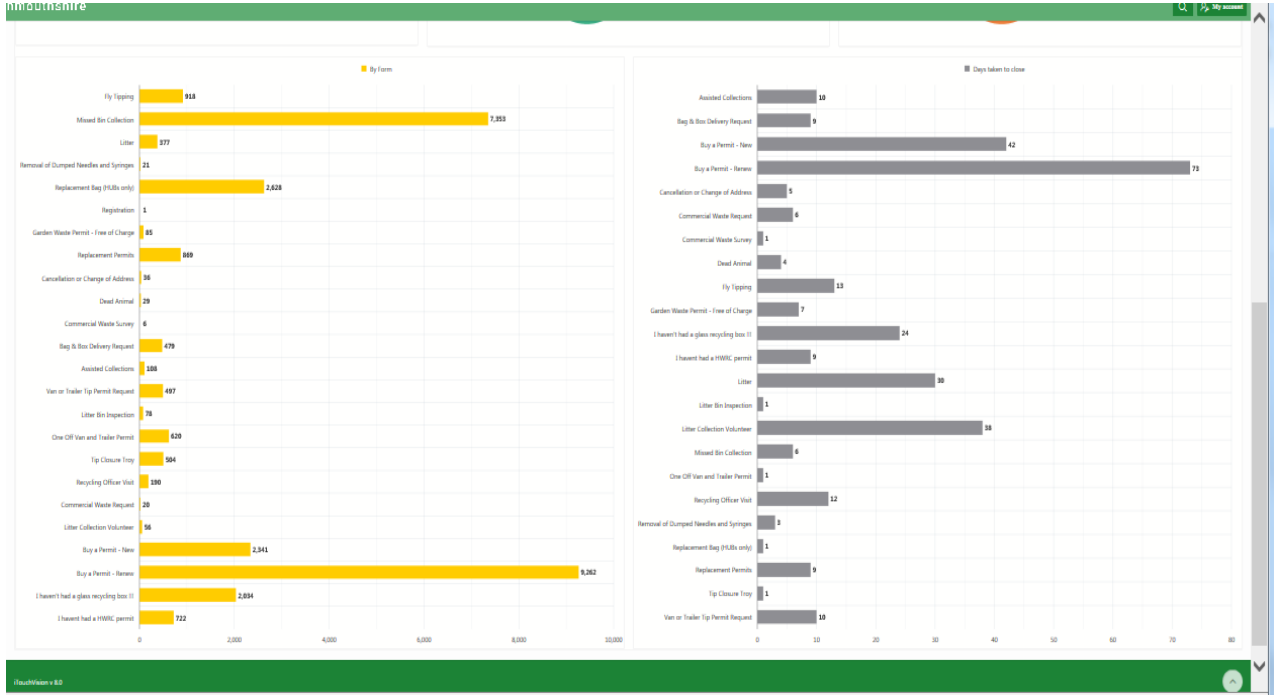
Service requests for Waste January 2019 to October 2019



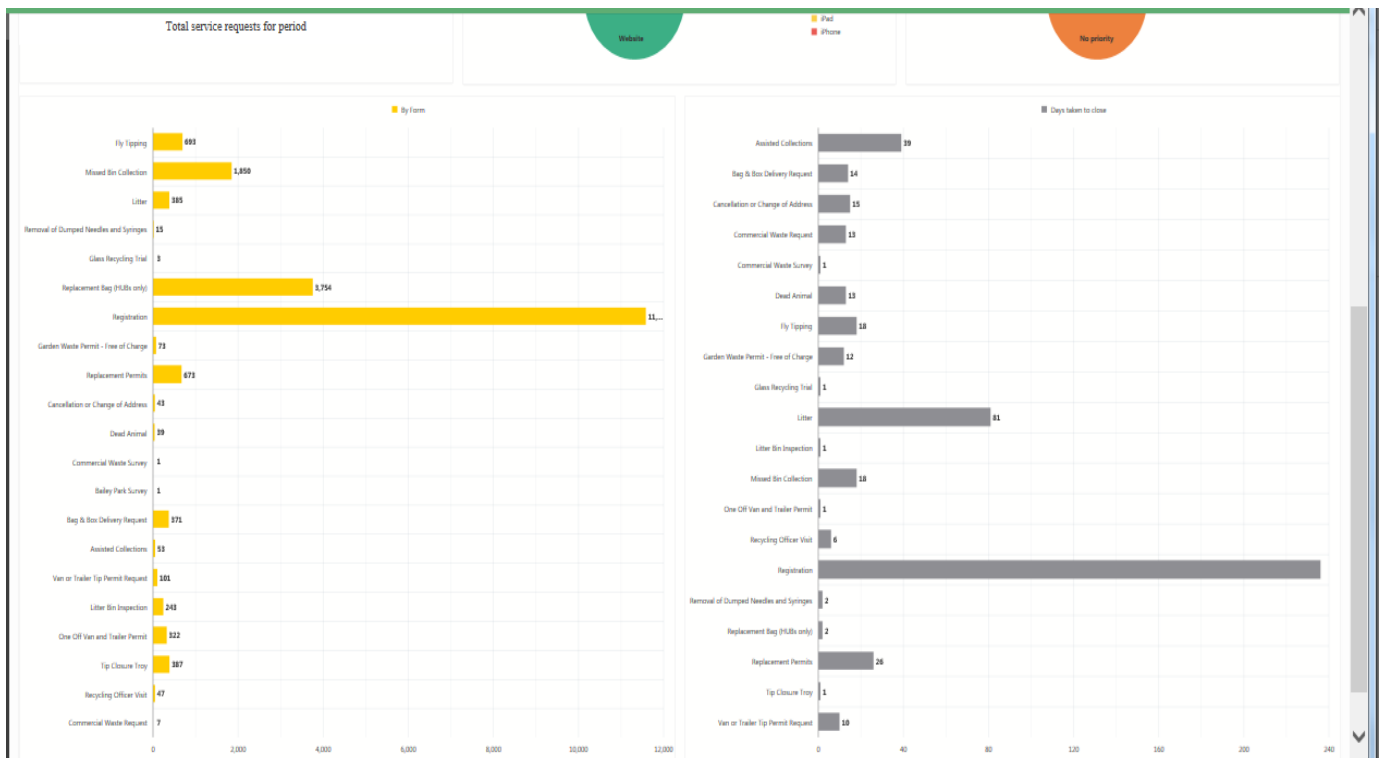
Service requests for Waste January 2018 to October 2018



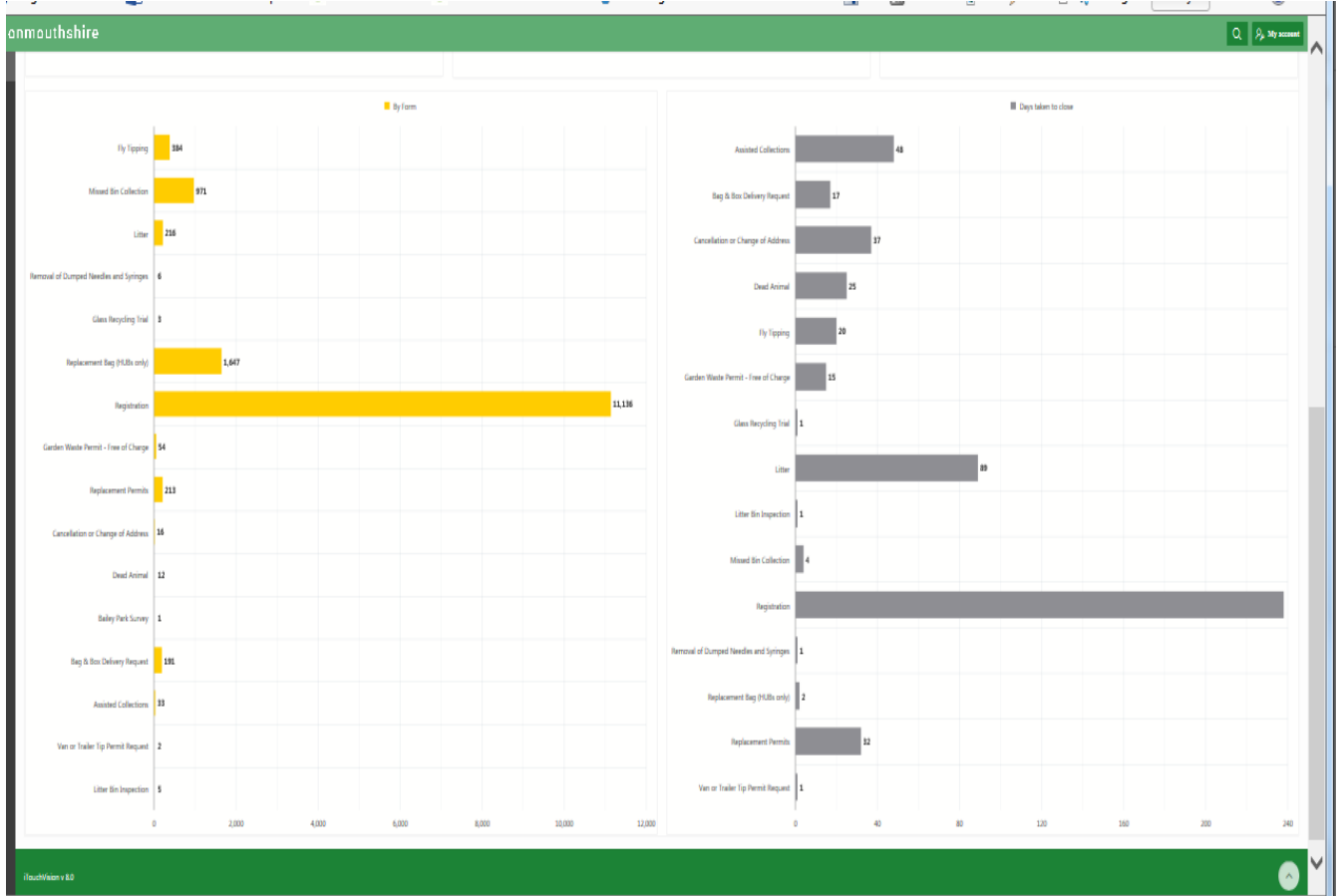
Service requests for Waste January 2019 to October 2019 by type



Service requests for Waste January 2018 to October 2018 by type



Service requests for Waste January 2019 to June 2019 by type – shows increase in flytipping prior to changes with permits or day closures compared to same period last year, biggest increase was in January and February



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