

SUBJECT: WASTE & STREET SERVICES POLICY REVIEW

MEETING: SELECT COMMITTEE

DATE: 21 MARCH 2019

DIVISION/WARDS AFFECTED: ALL

1. PURPOSE:

To review draft policy documents and make recommendations to Cabinet for final decision. To support officers in developing the Equalities Section of this policy.

2. RECOMMENDATIONS:

- 2.1 To review the WSS General Collections Policy and refer for approval subject to any amendments required by Select Committee
- 2.2 To review the WSS Garden Waste Policy and refer for approval subject to any amendments required by Select Committee
- 2.3 To review the WSS Fly Tipping Policy and refer for approval subject to any amendments required by the Select Committee
- 2.4 To recommend timescales for implementation for each policy to the Cabinet Member

3. KEY ISSUES:

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.

4. EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):

This section will be completed following the input of Strong Communities Select to allow for a full and detailed evaluation of the proposals.

5. OPTIONS APPRAISAL

There are limited options for appraisal regarding collections policies. The majority of services we currently provide have been based on customary practice over many years. These policies formalise those arrangements to give clarity for a consistent and transparent decision process.

If we were to do nothing the inconsistency and lack of clarity would exist for both the public and staff. The number of calls and requests for information through the service would continue to rise with no clear documentation to help provide the public and staff on how we deliver the service.

Policy development and publication is a tried and tested method of increasing transparency in service delivery and managing expectations.

6. EVALUATION CRITERIA

Waste and Street services will continue with the bi-annual satisfaction surveys and this will include questions regarding the collections service.

The Policies are not designed to be stand alone and will work in conjunction with other Complaints Procedures etc. The Waste Policies should give clarity of service provision, what residents can expect and will give transparency and consistency to decisions taken.

7. REASONS:

As a result of the new service roll out from March 4th, it will be critical for the public to adhere to policies in relation to contamination of waste, timeliness of presentation, and for our operatives to be supported by clear and concise policies to help them deliver a critical service.

The policies have been created by a working group consisting of both front line supervision staff, office based staff and management. The policies do not amend any current custom or practice but simply seek to document these into publically available policy documents.

Waste & street services will be increasing the use of enforcement powers going forward and it will be beneficial to ensure we have clear policy and processes in place. Residents support the use of enforcement that improves the communities and wider environment. For enforcement to be successful the public should be clear of our powers under the legislation and the way in which we will act in relation to enforcement activity.

Our garden waste policy has been in place for a number of years, one area of issue is in relation to Free of Charge Permits. The current cost to the service in delivering FOC permits is £4320 if we give a maximum of two free permits per group (some groups request up to 10 permits)

We are in the process of consulting with Garden Waste Customers to help inform service decisions in the future, we have had almost 200 responses which indicate customers would prefer longer term contracts, a winter service at no extra cost, and around 50% would prefer wheeled bins to the bags. Anecdotally we receive a high volume of negative feedback in relation

to the bags from the contact center and staff at the hubs so we will be looking into options over the next 12 months.

8. RESOURCE IMPLICATIONS:

There are no resource implications to implementing these policies which simply reflect current custom and practise.

A training option will be offered to Contact Centre and Hub Staff on the suite of documents to help grow understanding and so that they can help the public discover policy decisions directly.

9. CONSULTEES:

We have consulted with other local authority policy documents in creation of these drafts to benchmark our service.

We have consulted with front line supervisors and operatives on the implementation and application of these policies.

The Policy will include recommendations of Strong Communities select prior to approval by Cabinet.

10. BACKGROUND PAPERS:

WSS General Collections Policy

WSS Fly Tipping Policy

WSS Enforcement Policy

WSS Garden Waste Policy

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Is my report exempt?

In some instances it may be necessary to submit a report to a committee but withhold the whole report, or part of that report, due to the sensitive nature of information contained within it.

There are specific circumstances in which a report may be considered exempt which are set in legislation. When writing your report bear in mind the following circumstances to consider whether your report should be exempt;

Local Government Act, Schedule 12A, Part 4;

12. Information relating to a particular individual
13. Information which is likely to reveal the identity of an individual
14. Information relating to the financial or business affairs of any particular person (including the authority holding that information)
15. Information relating to any consultation or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
16. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
17. Information which reveals that the authority proposes –
 - a. To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b. To make an order or direction under any enactment
18. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

If you are unsure if the report should be exempt or not you should contact Democratic Services or the Monitoring Officer for further advice and guidance. The principal to bear in mind however is that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

If your report is to be exempt you should let Democratic Services know as soon as possible if you have not already done so when adding the item to the forward plan of the relevant committee.

When submitting your report to Democratic Services for publication with the agenda you must also include an exemption certificate which give details as to why the report is exempt and not for publication. This certificate will be publicly available with the agenda in place of the report so the reasoning for the exemption should be made clear on this form. The exemption certificate is available overleaf.

Further information on definitions and exemptions is available within the Local Government Act at the following link; <http://www.legislation.gov.uk/ukpga/1972/70/schedule/12A>

SCHEDULE 12A LOCAL GOVERNMENT ACT 1972 EXEMPTION FROM DISCLOSURE OF DOCUMENTS

Meeting and Date of Meeting: Insert date and meeting

Report: Insert report title

Author: Insert author

I have considered grounds for exemption of information contained in the background paper for the report referred to above and make the following recommendation to the Proper Officer:-

Exemptions applying to the report:

[Enter the section and reason of the exemption, as defined by the Local Government Act set out above e.g – This report will be exempt under paragraph 12 of Schedule 12A – Information relating to a particular individual]

Factors in favour of disclosure:

Openness & transparency in matters concerned with the public

Prejudice which would result if the information were disclosed:

[Give a brief indication of what information would be disclosed and the impact of its disclosure]

My view on the public interest test is as follows:

Factors in favour of disclosure are outweighed by those against.

Recommended decision on exemption from disclosure:

Maintain exemption from publication in relation to report

Date: Insert date

Signed: Signed by report author

Post: Insert post

I accept/I do not accept the recommendation made above

Signed: [Signed by Chief Officer / Head of Service / Chief Executive]

Date: Insert Date