

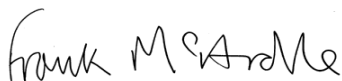
Date: 10 October 2017

Dear Councillor,

Overview and Scrutiny Committee

A Meeting of the **Overview and Scrutiny Committee** will be held in the **Council Chamber**, on **Wednesday, 18 October 2017 at 18:00**. You are requested to attend.

Yours faithfully,



Chief Executive

To:- **Conservative Group**
Councillor Swann (Chairman), Councillor Billings (Vice-Chairman) and Councillors
Atkin, Mrs Coe and Mrs Patten

Labour Group
Councillors Bambrick, Dr Pearson and Mrs Stuart

AGENDA

Open to Public and Press

- | | | |
|-----------|--|----------------|
| 1 | Apologies. | |
| 2 | To receive the Open Minutes of the Meetings held on 21st June 2017 and 6th September 2017. | |
| | Overview and Scrutiny Committee 21st June 2017 Open Minutes | 4 - 6 |
| | Overview and Scrutiny Committee 6th September 2017 Open Minutes | 7 - 9 |
| 3 | To note any declarations of interest arising from any items on the Agenda | |
| 4 | To receive any questions by members of the public pursuant to Council Procedure Rule No.10. | |
| 5 | To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11. | |
| 6 | Update on Burton Hospitals and Derby Teaching Hospitals NHS Foundation Trust Collaboration (Verbal Presentation) | |
| 7 | REVIEW OF BULKY HOUSEHOLD WASTE COLLECTIONS, SATURDAY MORNING REFUSE FREIGHTER SERVICE AND COMMERCIAL WASTE COLLECTION | 10 - 19 |
| 8 | REVIEW OF STREET SCENE SERVICES | 20 - 23 |
| 9 | REVIEW OF THE USE OF STRIMMING AS PART OF THE GROUNDS MAINTENANCE SERVICES | 24 - 25 |
| 10 | COMMITTEE WORK PROGRAMME | 26 - 27 |

Exclusion of the Public and Press:

- 11** The Chairman may therefore move:-

That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.

- 12** To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.

OVERVIEW AND SCRUTINY COMMITTEE

21st June 2017

PRESENT:-

Conservative Group

Councillor Swann (Chairman), Councillor Billings (Vice-Chairman) and Councillors Atkin and Mrs Coe

Labour Group

Councillors Bambrick, Dr Pearson and Mrs Stuart

OS/1 **APOLOGIES**

Apologies were received from Councillor Mrs Patten (Conservative Group)

OS/2 **MINUTES**

The Open Minutes of the Meeting held on 22nd March 2017 were taken as read, approved as a true record and signed by the Chairman.

OS/3 **DECLARATIONS OF INTEREST ARISING FROM ITEMS ON AGENDA**

Councillor Mrs Coe declared an interest in Item 8 by virtue of being the Council's representative on Outside Bodies for Sharpe's Pottery Heritage & Arts Trust Ltd, Community Arts Project ("People Express") Management Committee, South Derbyshire Citizens Advice and Goseley Community Centre Committee.

Councillor Bambrick declared an interest in Item 8 by virtue of representing the Council for the Old Post Centre in Newhall.

OS/4 **QUESTIONS RECEIVED BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

The Committee were informed that no questions from members of the Public had been received.

OS/5 **QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

The Committee were informed that no questions from Members of the Council had been received.

OS/6 **REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) – QUARTERLY REPORT ON USAGE**

The Director of Community and Planning Services outlined the report, emphasising that the usage of Regulation of Investigatory Powers Act 2000 (RIPA) since 1st March 2017 was nil, and no authorisations had been requested or granted.

Councillor Atkin wished for it to be noted that a response to his query regarding the monitoring of body-worn cameras at the previous Committee Meeting on 22nd March 2017 had been received.

RESOLVED:-

Members noted the internal report on the Council's use of the Regulation of Investigatory Powers Act 2000.

OS/7 **ANNUAL REPORT FROM THE OVERVIEW AND SCRUTINY COMMITTEE 2016/17**

Members were advised that the report had been presented to Council.

RESOLVED:-

Members noted the Committee's Annual Report for 2016/17.

OS/8 **REVIEW OF FUNDING TO VOLUNTARY AND COMMUNITY SECTOR ORGANISATIONS**

The Community Partnership Officer presented the report to Committee outlining details of the organisations in receipt of funding, the level of funding and how this is distributed. The Director of Community and Planning Services highlighted the importance of the Voluntary and Community Sector organisations to this Council, as they assist in the provision of services that Council's in other locations deliver themselves.

Members sought clarification on the criteria required in order to bid for funding. The Community Partnership Officer advised that funding provision is led by the County Council and matched by this Council. Members queried whether alternative groups in the community could also bid. The Director advised that he would liaise with South Derbyshire CVS to confirm the criteria.

Councillor Dr Pearson noted that the report outlined funding for 2016/17 and queried whether funds have been allocated for 2017/18. The Director responded that the current process would allocate the same budget as for 2016/17. Members discussed the adverse impact on two organisations in South Derbyshire as a result of the reduction in funding from the County Council and queried whether this Council could review their own allocation in view of the invaluable services provided by such organisations to South Derbyshire residents.

The Community Partnership Officer further advised that as Service Level Agreements with organisations are in place for three years, they are reviewed at each renewal stage. Councillor Dr Pearson noted this and further added that a schedule to periodically review such Service Level Agreements could assist in monitoring on an ongoing basis. Members discussed the option of reviewing services currently offered in line with the Corporate Plan and requested information on whether there are any alternative organisations which could be also considered as service providers.

RESOLVED:-

Members noted the information on support to voluntary and community sector organisations and requested a further report to this Committee to include information on any alternative organisations for consideration.

OS/7 **SETTING THE OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2017-18**

RESOLVED:-

Members considered and agreed the proposed Committee Work Programme for the year 2017/18 with the inclusion of the additional report on Voluntary and Community Sector Organisations.

OS/9 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

The Committee were informed that no exempt questions from Members of the Council had been received.

The Meeting terminated at 7.00pm.

COUNCILLOR SWANN

OVERVIEW AND SCRUTINY COMMITTEE

6th September 2017

PRESENT:-

Conservative Group

Councillor Swann (Chairman), Councillor Billings (Vice-Chairman) and Councillors Atkin, Mrs Coe and Mrs Patten

Labour Group

Councillors Bambrick and Mrs Stuart

OS/10 **APOLOGIES**

Apologies were received from Councillor Dr Pearson (Labour Group)

OS/11 **DECLARATIONS OF INTEREST ARISING FROM ITEMS ON AGENDA**

Councillor Bambrick declared a personal interest in Item 6 by virtue of being a Swadlincote Community Transport Board Member.

Councillor Mrs Coe declared a personal interest in Item 6 by virtue of being a board member of various voluntary organisations.

OS/12 **QUESTIONS RECEIVED BY MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO. 10**

The Committee were informed that no questions from members of the Public had been received.

OS/13 **QUESTIONS RECEIVED BY MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11**

The Committee were informed that no questions from Members of the Council had been received.

OS/14 **REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) – QUARTERLY REPORT ON USAGE**

The Director of Community and Planning Services presented the report to Committee.

RESOLVED:-

Members noted the internal report on the Council's use of the Regulation of Investigatory Powers Act 2000.

OS/15 **REVIEW OF FUNDING TO VOLUNTARY AND COMMUNITY SECTOR ORGANISATIONS**

The Director of Community and Planning Services presented the report to Committee, stating that work relating to domestic violence was being discussed with Trident Reach and would be progressed via the relevant Policy Committee. With regard to a Shopmobility service, the Director confirmed that a tender exercise was also to be undertaken.

Councillor Mrs Patten recounted a previous process whereby organisations would show accounts, detailing how grants had been utilised. The Director thought that the grants process required sight of accounts, as written into the service level agreement, but that confirmation of this would be provided to Members. The Director further suggested that a detailed annual report be submitted to the Committee.

RESOLVED:-

Members noted the additional information provided, as requested at the last Committee Meeting on 21st June 2017 and agreed to the submission of an annual report detailing voluntary and community sector organisation funding.

OS/16 **REVIEW OF AREA FORUM MEETINGS**

The Director of Community and Planning Services presented the report to Committee, including his suggestion for a revised, combined format, emphasising that any change would require approval by Council.

Members queried or raised comment on the selection of chairman / vice-chairman for a combined meeting, as proposed, the choice of topics, dates and venues, the need for greater publicity and ongoing County Council participation.

RESOLVED:-

Members noted the report and agreed that the review process continue.

OS/17 **REVIEW OF ETWALL LEISURE CENTRE CONTRACT / COMMUNITY ACCESS**

The Director of Community and Planning Services delivered a presentation to Committee, assisted by Helen Warren, Active Nation Assistant Contracts Manager. In this, the Director highlighted the potential next stages, namely Active Nation's proposal to take up more use of the pool, subject to school requirements, a second pool proposal, Section106 developments, relating to the overflow car park, outdoor

use and changing improvements and the future with the school under new academy ownership.

Members queried or raised comment on the potential sale of parts of the current complex to realise capital and achieve more effective use of space, the demand for, and utilisation of, a second pool, the potential for revisions to the current contract and its next renewal date, the take-up of early morning swimming sessions, the potential for increased community usage, running costs, the withdrawal of County Council funding and plans for addressing the growing need for additional sports provision. The Director and Assistant Contracts Manager addressed each query in turn.

RESOLVED:-

Members noted the information provided and requested that further details regarding all forms of exercise be made available to Members.

OS/18 **LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it would be likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

EXEMPT QUESTIONS FROM MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE NO 11

The Committee were informed that no exempt questions from Members of the Council had been received.

The Meeting terminated at 7.20pm.

COUNCILLOR SWANN

CHAIRMAN

REPORT TO:	OVERVIEW AND SCRUTINY COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	18th OCTOBER 2017	CATEGORY:
REPORT FROM:	INTERIM STRATEGIC DIRECTOR	OPEN
MEMBERS' CONTACT POINT:	ADRIAN LOWERY EXT. NO. 5764	DOC:
SUBJECT:	REVIEW OF BULKY HOUSEHOLD WASTE COLLECTIONS, SATURDAY MORNING REFUSE FREIGHTER SERVICE AND COMMERCIAL WASTE COLLECTION	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 The Committee is recommended to note and discuss the information contained in this report and to advise Officers of any areas they wish to be referred to relevant Committees for consideration.

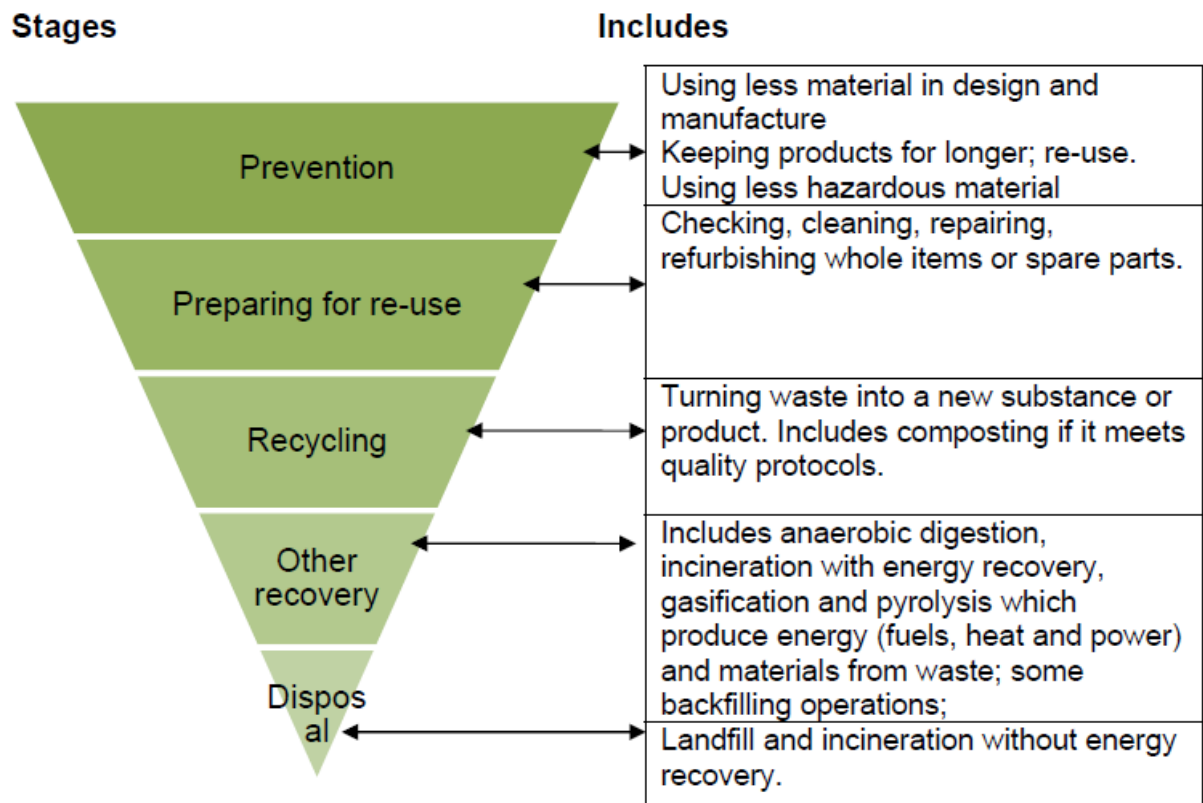
2.0 Purpose of Report

- 2.1 As part of its annual work plan the Overview and Scrutiny Committee have requested a report on the issues of bulky household waste collections, Saturday morning refuse freighter service and commercial waste collection services. The Committee will wish to comment on these areas.

3.0 Detail

- 3.1 South Derbyshire District Council is a designated Waste Collection Authority, under the terms of the Environmental Protection Act 1990 and has a duty to collect household waste and to collect some types of commercial waste when requested. Derbyshire County Council are the Waste Disposal Authority and are required to provide disposal sites for household and commercial waste and to provide sites for the public to deliver waste to.
- 3.2 Most household waste is collected and disposed of free of charge, however for certain household waste materials, often referred to as Schedule 2 waste, the collection authority may make a reasonable charge for the collection and in terms of commercial waste both collection and disposal authorities may make a reasonable charge for the collection and disposal.
- 3.3 In reviewing any waste collection service it is important to keep in mind both the Waste Management Plan for England [Waste Plan for England](#) and the Derbyshire Waste Strategy- ['Dealing with Derbyshire's Waste'](#), both are based on the principles of the waste hierarchy. In England, the waste hierarchy is both a guide to sustainable

waste management and a legal requirement, enshrined in law through the Waste (England and Wales) Regulations 2011. The hierarchy gives top priority to waste prevention, followed by preparing for re-use, then recycling, other types of recovery (including energy recovery), and last of all disposal (e.g. landfill).



- 3.4 The Bulky waste collection service costs SDDC in the region of £26,000 per year with an income of £38,000 per year giving a net profit of £12,000 per year. The service collects around 100 tonnes per year. The service costs DCC in the region of £5,400. The service is charged for at point of delivery; a general description of the service is covered in Appendix A. All waste collected through the bulky waste service is disposed of to landfill.
- 3.5 The Saturday morning refuse freighter service costs SDDC in the region of £6,000 per year and collects around 135 tonnes per year. The service costs DCC in the region of £7,290. The service is free at point of delivery; a general description of the service is covered in Appendix B. All waste collected through the Saturday morning refuse freighter service is disposed of to landfill.
- 3.6 The Household Waste Recycling Centre is a nil cost to SDDC. The Newhall site costs DCC in the region of £700,000 per year and receives around 6,830 tonnes per year. The service is free at point of delivery, a general description of the service is covered in appendix C. Around 70% of waste collected at the HWRC is sent for either re-use or recycling.
- 3.7 The Clean Team service costs SDDC in the region of £64,000 per year and collects around 380 tonnes per year. The service covers collection of fly tipped waste, litter and dog fouling removal, see appendix D for a breakdown of clean team jobs. All waste collected by the Clean Team service is disposed of to landfill.
- 3.8 The Environmental Health Enforcement team have recently had a successful prosecution for a major fly tipping offence which led to a suspended prison sentence and the seizure of assets to contribute to the clean-up costs.

3.9 They have also issued a £400 penalty to a man found to be offering waste disposal services via Facebook without having been given approval as a registered waste business from the Environment Agency.

4.0 Financial Implications

4.1 This report has no financial implications.

5.0 Corporate Implications

5.1 The current corporate plan commits the Council to increasing recycling and composting and to reducing the kilograms of waste collected per head of population.

5.2 Legal implications – the council still has a statutory duty to meet the government target of reuse/recycling at least 50% of household waste by 2020.

6.0 Community Implications

6.1 Waste collection services should have a major impact on the communities' well-being whilst fly tipping is detrimental to a community both environmentally and socially.

If you have extra waste or large items please take them to the household waste recycling center or contact us to arrange for a bulky waste collection tel: 01283 595795. We charge £30 for up to six items of waste or £25 for a single fridge or freezer collection.

We provide a collection for large items, for example some furniture or a fridge, that you would take with you if you were moving house.

We will collect up to six household items on two separate collections in a year. Items are normally collected on a Wednesday.

The collection needs to be booked and paid for in advance. Payments must be received before 12 noon on the Tuesday before the collection day.

How much does it cost?

The Standard Bulky Charge is £30 per collection (maximum of 6 items).
CFC (fridge / freezer) charge is £25 per collection (1 fridge or freezer only).

Examples:

- If the collection is for 1 fridge or freezer, the charge will be £25.
- For a mixed collection which includes furniture and a fridge or freezer, the charge will be £30 plus £25.

Fridges and freezers will only be collected if they are empty of food. Any contaminated items will not be removed.

To book a bulky waste collection, please contact Customer Services on (01283) 595 795.

Please note:

- Items should be available outside of the property for collection from 7am to 5pm and be easily accessible from one point on the property.
- Only items listed at the time of booking will be collected
- Carpets must be rolled, tied and of a size manageable by two people
- Carpet underlay is a separate item
- A three piece suite is one item
- One wardrobe does not include a full bedroom suite
- Items must not be filled with other rubbish

We regret that the following items cannot be collected under the Bulky Waste Service:

- Loose waste
- Gas bottles
- Sheds
- Greenhouses
- Bags of rubble
- Fence panels
- Concrete posts
- Car / motorbike parts
- Garage doors / window frames
- Christmas trees
- Garden waste e.g. trees
- Asbestos
- Fluid containers e.g. drums
- Gates
- Wire fencing and fire surrounds

- General builders waste
- Doors.

Alternatively, you can take your household rubbish or items to the Civic Amenity Site at Park Road in Newhall. Please call 01629 533190 for further details.

Appendix B - Saturday Morning Freighter Service

South Derbyshire District Council provides a free household waste collection service on a Saturday morning for areas that are more than five miles away from the HWRC.

We cannot accept bulky or hazardous items such as:

- Bathroom fixtures
- Fridges
- Freezers
- Cookers
- Washing machines
- Dryers
- Wardrobes
- Beds
- Three piece suites
- Car parts
- Kitchen units (unless dismantled)
- Asbestos
- Gas heaters and bottles
- Paint
- Inflammable substances
- Televisions
- Fluorescent tubes
- Builders' rubble
- Soil and stones.

Appendix C - Household Waste Recycling Centre (HWRC)

The HWRC for South Derbyshire is operated by Derbyshire County Council and is located at Park Road, Newhall, Swadlincote, Derbyshire, DE11 0TP

The HWRC is open daily from 8.30am to 6pm, except for Christmas Day, Boxing Day and New Year's Day. Assistance is available if you require help carrying large or breakable items.

We accept a wide range of materials and items from your home which may be too large or bulky to be taken by your normal kerbside waste collection.

What we can accept

Furniture. Don't forget that furniture may be suitable for reuse, view our furniture recycling page.

Electrical appliances, TVs, computer equipment, fridges and freezers. Please make sure that all personal data is removed from items such as PCs, laptops, smart TVs, mobile phones, tablets and sat navs.

All electrical equipment brought into our sites will be segregated and sent for recycling in accordance with environmental regulations.

Wood.

Chipboard.

Green garden waste.

Old clothes and textiles.

Paper.

Cardboard.

Glass bottles and jars.

Plastic bottles and containers.

Automotive oil (a maximum of five litres).

Excess bin waste.

Tyres - a maximum of four from a domestic vehicle

Crockery

Concrete, cement, mortar, rubble, and hard core from households. A maximum of 50kgs (equivalent to two 25kgs sacks) per visit per week.

Asbestos - A maximum of two roofing sheets or two metres of downpipe (or equivalent). Please double wrap this material in plastic sheeting or bags and seal with tape before you bring it to site.

When you arrive, please let a member of staff know you have asbestos and it will be dealt with accordingly.

You should dampen the asbestos with water before lifting or moving it to help prevent the release of asbestos fibres. Do not break or cut the asbestos to fit into plastic bags.

Plasterboard and plasterboard products. A maximum of 50kgs (equivalent to two 25kg sacks) per visit per week. Sorry we do not accept whole sheets of plasterboard. Please keep separate from all other materials.

Batteries - automotive and household.

Cooking oil.

Light bulbs.

Gas bottles - if there's an identifying label on the side of the bottle, it can be taken to a stockholder in the LPG bottle retrieval scheme (opens in a new window). If the bottle can't be identified, we'll accept it.

Household chemicals - small quantities of hazardous waste such as pesticides, mercury and petrol can be taken to our sites up to a maximum of five litres or five kilograms. If you have a larger quantity or if you're unable to take it to our sites, please contact us for advice - email: wastemanagement@derbyshire.gov.uk or tel: 01629 538532.

Paint - you can bring household quantities of paint to any of our centres, but if the paint is still usable, please consider donating it to an organisation such as Community Repaint ([opens in a new window](#)).

Food and drink cartons - we provide food and drink carton recycling banks at all our household waste recycling centres except Bolsover. The bank on this site has been withdrawn because residents in the Bolsover District Council and NE Derbyshire District Council areas can now place cartons in their kerbside burgundy recycling bins.

What we can't accept

Waste from a commercial business - your district council and private waste collection companies provide commercial collection services, subject to a charge.

Waste left with a householder by a tradesperson. Always ask a tradesperson to include waste disposal in their quote.

Waste from charities.

Concrete, cement, mortar, rubble, hard core from households - more than 50kgs (equivalent to two 25kg sacks).

Asbestos - more than two roofing sheets or two metres of downpipe (or equivalent). Please double wrap this material in plastic sheeting or bags and seal with tape before you bring it to site. When you arrive please let a member of staff know you have asbestos and it will be dealt with accordingly. You should dampen the asbestos with water before lifting or moving it to help prevent the release of asbestos fibres. Do not break or cut the asbestos to fit into plastic bags.

Plasterboard and plasterboard products - more than 50kgs (equivalent to two 25kg sacks). Sorry we do not accept whole sheets of plasterboard. Please keep separate from all other materials.

Tree trunks and branches over 150mm diameter.

Scrap vehicles and vehicle parts except tyres (up to four from a domestic vehicle) and vehicle batteries.

Large items of fitted furniture.

More than two window frames (with or without glass) or two doors from a DIY project.

Any waste arising from the demolition of greenhouses.

Any waste arising from demolition of wooden garden sheds or fencing.

Soiled pet bedding or pet litter. This is primarily due to the health risks posed to site staff who may come into contact with it. Our staff routinely open bags brought in to check for recyclables. If they come into contact with soiled pet litter, not only is it highly unpleasant, there's also a risk of contracting diseases such as Toxoplasmosis.

Christmas cards and wrapping paper for recycling. This can't be sent for recycling due to the likely presence of glitter, foil, plastic and sellotape.

Planning a major home or garden refurbishment?

If you're planning major refurbishment work to your house or garden, we recommend you consider hiring a skip as part of the project. If you do hire a skip and need to place it on the road check whether you need to apply for a permit.

Reusable items

You can also offer unwanted items on your local Freecycle (opens in a new window) or Freegle (opens in a new window) network.

Appendix D – Clean Team Incidents

Clean Team Incidents	
Between 27/09/2016 and 26/09/2017	
Incident Type	No of Incidents
BROKEN GLASS	18
DEAD ANIMAL	30
DOG FOULING	123
FLYTIPPING	767
HYPERDEMIC NEEDLES	13
LEAF FALL	1

LITTER	94
OTHER BLACK BAGS	1
RECYCLING CLEAN UP	3
TOTAL INCIDENTS	1,050

Notes:

* Category – Please see the Committee terms of reference This shows which committee is responsible for each function and whether it has delegated authority to make a decision, or needs to refer it elsewhere with a recommendation. This link also includes the relevant text for the terms of reference report header.

** All reports should be considered in the open section of the meeting, unless it is likely that exempt information would be disclosed. Please see the [Access to Information Procedure Rules](#) for more guidance.

All sections of the report are compulsory, other than sections:

1.0 Reason for Exempt - if the report is in 'open'.

4.0 Executive Summary - if the report is less than three pages in length.

9.0 Conclusions

Please note that if any of the above paragraphs are omitted then the report should still be numbered in order – i.e. do not miss any out.

If appendices are being used it is important that the pages are numbered in order. Do not start renumbering pages from the start of the appendices.

For further information, please contact [Democratic Services](#)

Last reviewed May 2009

REPORT TO:	OVERVIEW AND SCRUTINY COMMITTEE	AGENDA ITEM: 8
DATE OF MEETING:	18th OCTOBER 2017	CATEGORY:
REPORT FROM:	INTERIM STRATEGIC DIRECTOR	OPEN
MEMBERS' CONTACT POINT:	ADRIAN LOWERY EXT. NO. 5764	DOC:
SUBJECT:	REVIEW OF STREET SCENE SERVICES	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

1.1 The Committee is recommended to note and discuss the information contained in this report and to advise Officers of any areas they wish to be referred to relevant Committees for consideration.

2.0 Purpose of Report

2.1 As part of its annual work plan the Overview and Scrutiny Committee have requested a report on the issues of reducing the amount of litter and dog fouling incidents throughout South Derbyshire by improving the delivery of services aimed at keeping the District clean and healthy. The Committee will wish to comment on these areas.

3.0 Detail

3.1 South Derbyshire District Council is designated as a Principle Litter Authority under the Environmental Protection Act 1990; this requires the Council to keep relevant land and highways free from litter and refuse.

3.2 Litter is most commonly assumed to include materials, often associated with smoking, eating and drinking, that are improperly discarded and left by members of the public; or are spilt during business operations as well as waste management operations. As a guideline a single plastic sack of rubbish should usually be considered fly-tipping rather than litter.

3.3 Refuse is regarded as having its ordinary meaning of waste or rubbish, including household and commercial waste, and can include fly-tipped waste. Dog faeces are treated as if they were 'refuse' when on certain descriptions of public land. Dog fouling is a separate offence from littering.

3.4 Detritus on metalled highways must be removed as a requirement of the duty to keep highways clean and it is also recommended that detritus should be removed alongside litter and refuse by duty bodies from all other hard surfaces as well. Detritus includes dust, mud, soil, grit, gravel, stones, rotted leaf and vegetable residues, and fragments of twigs, glass, plastic and other finely divided materials.

Leaf and blossom falls are to be regarded as detritus once they have substantially lost their structure and have become mushy or fragmented.

- 3.5 The illegal disposal of controlled waste (refuse) is commonly known as fly-tipping. There is no specific definition of fly-tipping other than in the offences set out in section 33 of the Environmental Protection Act 1990, including the deposit or disposal of controlled waste without a waste management licence, or its disposal in a manner likely to cause pollution of the environment or harm to human health.
- 3.6 The Council services primarily dealing with litter are Street Scene (cleaning the streets) and Environmental Health (enforcement and education).
- 3.7 The Council deploys significant resources to meet our duty in clearing litter and refuse; the street cleaning budget for 2017/18 is £297,000.
- 3.8 In general the tasks undertaken and resources utilised are summarised in the following table.

Tasks	Resource
Mechanical Road Sweeping	1 x operative, 1 x specialist vehicle
Mechanical Pavement Sweeping	2 x operatives, 2 x specialist vehicles
Town Centre Litter picking, Public Toilet cleaning	1 x operative
Litter bin provision and emptying, other litter picking, Public toilet cleaning	2 x operatives, 2 x vehicles
Fly tipping, other litter picking, dead animal removal.(Clean Team)	2 x operatives, 1 x vehicle
Highway weed control	1 x operative from grounds, 1 x specialist vehicle – funded by DCC
Bus Shelter Maintenance	Out sourced
Gully emptying	Out sourced – funded by DCC
Rural highway litter picking	4 x operatives from grounds – November - February

- 3.9 The service standards for street cleaning are summarised in the following table.

Tasks	Service Standard
Mechanical Road Sweeping	All kerb edged metalled highways to be channel swept 4 x per year, with major routes 11 x per year
Mechanical Pavement Sweeping	All highway footpaths/pavements to be swept 2 x per year
Town Centre Litter picking, Public Toilet cleaning	Town centre to be litter picked minimum 2 x per day. Public toilets cleaned 2 x per day.
Litter and dog waste bin provision and emptying, other litter picking, Public toilet cleaning	2 x operatives, 2 x vehicles. Litter and dog fouling bins are generally emptied weekly, some high usage ones 2 x week
Fly tipping, other litter picking, dead animal removal.(Clean Team)	Response service with varying timescales, removal of dog fouling from sensitive location – immediate, fly tipping within 48 hours
Highway weed control	All kerb edged metalled highways to be treated 2 x per year.
Bus Shelter Maintenance	Shelters cleansed 4 x per year
Gully emptying	Gullies emptied 1 x per year, major routes 2 x

	per year.
Rural highway litter picking	1 x per year – November – February

- 3.10 More often than not people's perceptions of litter and dog fouling differ significantly from the actual problem. In 2014 the Council commissioned a report from MEL Research into environmental concerns in Newhall and Stanton. Surveys carried out showed that 90% of streets had no dog fouling but residents' perception was that only 31% had no dog fouling. In respect of litter 96% had no litter however; residents felt that only 53% had no litter.
- 3.11 The Council has published enforcement policies which explain how we will go about using our various tools and powers to help our business community and residents to meet the various laws we are tasked with regulating. When we are unable to ensure compliance through persuasion we may need to resort to use of more formal means.
- 3.12 In a small number of cases, the Council is required to resort to the courts or other forms of judicial punishment in order to seek restitution for confirmed offences. This restitution can be in one of three forms; Firstly, for a limited number of offences and where the offender admits to the offence, we can issue a fixed penalty notice. Where the offender admits the offence and there is no fixed penalty notice option available, but prosecution is not deemed to be proportionate then the offender may be given the option to sign a formal caution. Usually the most severe form of intervention is a prosecution.
- 3.13 The recent numbers of each of these punitive outcomes compared to historical levels is summarised below.

	2013-14	2014-15	2015-16	2016-17
Total Fixed Penalty Notices	3	6	34	91
Dog offences	0	1	23	9
Fly tipping & waste offences	1	1	0	7
Litter	2	4	8	65
Community Protection Notice / PSPO breach	0	0	3	10
Formal Cautions	0	3	3	1
Prosecutions	0	0	3	1

- 3.14 Overall the Council is making significantly greater use of fixed penalty notices for low level offences than has previously been the case.
- 3.15 In 2015-16 Safer Neighbourhood Wardens focused on using FPNs to improve the control of dogs within the Districts parks and open spaces.
- 3.16 In 2016-17 significantly more FPNs have been issued for littering offences - mainly relating to material being left illegally at the recycling sites at Hatton and Willington.
- 3.17 Fixed Penalty Notices are issued where the recipient admits to the offence and agrees to pay the fine to discharge their liabilities. If the recipient of an FPN subsequently fails to pay the fine then the Council should be considering the need to prosecute for the offence.
- 3.18 We have issued our first £400 penalty to a man found to be offering waste disposal services via Facebook without having been given approval as a registered waste business from the Environment Agency.

3.19 A recent prosecution for fly tipping resulted in a suspended custodial sentence and the seizure of goods to contribute to the cost of clearance works.

3.20 Our action to prevent fly-tipping appeared on the One Show on BBC1 on 8th March.

4.0 Financial Implications

4.1 The report has no financial implications.

5.0 Corporate Implications

5.1 Achieving and sustaining a high local environmental quality is important and helps to:

- secure quality, long term commercial investors;
- attract and retain workers with scarce skills;
- meet landowners' and tenants' legal obligations and liabilities;
- attract good, long-term tenants, minimising voids and repairs costs;
- deter anti-social behaviour and some criminal activities;
- create environments that are more easily maintained and less subject to vandalism.

5.2 These services contribute to the "People" themed objective of "Keeping Residents Safe and Happy" in the 2016-21 draft Corporate Plan and in particular the aim to "Use existing tools and powers to take appropriate crime enforcement action".

6.0 Community Implications

6.1 The quality of the local environment is important to people. Local environmental quality has several dimensions. These include:

- How places look and are perceived;
- How safe and happy people feel about living in an area;
- How attractive areas are to workers, visitors and existing and new business investors.

6.2 Proportionate regulation is an important feature of ensuring community cohesion and economic growth.

REPORT TO:	OVERVIEW AND SCRUTINY COMMITTEE	AGENDA ITEM: 9
DATE OF MEETING:	18th OCTOBER 2017	CATEGORY:
REPORT FROM:	INTERIM STRATEGIC DIRECTOR	OPEN
MEMBERS' CONTACT POINT:	ADRIAN LOWERY EXT. NO. 5764	DOC:
SUBJECT:	REVIEW OF THE USE OF STRIMMING AS PART OF THE GROUNDS MAINTENANCE SERVICES	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

1.1 The Committee is recommended to note and discuss the information contained in this report and to advise Officers of any areas they wish to be referred to relevant Committees for consideration

2.0 Purpose of Report

2.1 As part of its annual work plan the Overview and Scrutiny Committee have requested a report on the Council's use of weed killer as an apparent alternative to strimming. This report has been prepared to facilitate discussion on this matter.

3.0 Detail

3.1 The Council introduced weed spraying to grassed areas around eight years ago primarily to reduce the exposure of operatives to Hand Arm Vibration Syndrome (HAVS) and to reduce the requirements for strimming.

3.2 The current practice is to use herbicides to kill grassed areas around obstructions such as fences, post and street furniture, creating a buffer zone, in order that ride on mowers can cut grassed areas more efficiently.

3.3 This practice has reduced operatives use of strimmers, the herbicide application takes place twice a year, whereas strimming would be required on each maintenance visit between 9 and 16 per year dependent on location.

3.4 Whilst the impacts of HAVS have been reduced following the introduction of better equipment, better health surveillance and better monitoring, the practice of using hand blowers to blow cut grass back onto plots from pavements and paths has utilised the resources that would previously undertake strimming. This was in response to dissatisfaction expressed at the grass cuttings covering adjacent areas.

- 3.5 Over this time period there has also been a significant increase in the volume of work required of the grounds maintenance service as a result of the increase in public open spaces, highway verges and play/sports facilities of a total of 94,310m², which equates to cutting a further 1.5 million square meters during the summer period.
- 3.6 Due to the rapid growth of the residential offer within the District it is likely that the grounds work load will continue to expand.
- 3.7 The additional volume of work has been absorbed within the existing resources; and without the herbicide approach having been adopted this would have proved very difficult.
- 3.8 To revert back to the use of strimming on each visit will require either additional resources or a reduction in current maintenance regimes.

4.0 Financial Implications

- 4.1 The additional resource requirement would be four additional men and two additional vehicles along with additional plant, equipment including Personal Protective Equipment and clothing.
- 4.2 The approximate cost of reverting to strimming is £107,000 per year at the current standard of service.

5.0 Corporate Implications

- 5.1 This issue does not relate directly to any relevant targets within the current Corporate Plan
- 5.2 There are no legal implications; however, the Government has issued Weeds, best Practice Guidance for Integrated and Non-chemical Amenity Hard Surface Weed Control, which does require local authorities to give consideration to alternative means of weed control.

6.0 Community Implications

- 6.1 An improvement to the aesthetic appearance of the District will have direct community benefits.

REPORT TO:	OVERVIEW AND SCRUTINY COMMITTEE	AGENDA ITEM: 10
DATE OF MEETING:	18th OCTOBER 2017	CATEGORY: DELEGATED
REPORT FROM:	CHIEF EXECUTIVE	OPEN
MEMBERS' CONTACT POINT:	ROOPY PABLA (EXT.5848) CHRIS TYLER (EXT.5722)	DOC:
SUBJECT:	COMMITTEE WORK PROGRAMME	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: G

1.0 Recommendations

1.1 That the Committee considers and approves the updated work programme.

2.0 Purpose of Report

2.1 The Committee is asked to consider the updated work programme.

3.0 Detail

3.1 Attached at Annexe 'A' is an updated work programme document. The Committee is asked to consider and review the content of this document.

4.0 Financial Implications

4.1 None arising directly from this report.

5.0 Background Papers

5.1 Work Programme.

Overview & Scrutiny Committee Work Programme 2017/18

Annexe A

Project	Committee Date																								Responsible Head of Service								
	Jun-17				Sep-17				Oct-17				Nov-17				Jan-18				Mar-18					Apr-18				May-18			
Annual Report																																	Legal and Democratic Services Manager.
RIPA																																	Legal & Democratic Services Manager
Setting the Work Programme																																	Director of Finance and Corporate Services
Budget																																	Director of Finance and Corporate Services
Review of Funding to Voluntary & Community Sector Organisations																																	Director of Community and Planning Services
Review of Area Forums / Safer Neighbourhood meetings																																	Director of Community and Planning Services
Review of Etwell Leisure Centre Contract / Community Access																																	Director of Community and Planning Services
Review of Grounds Maintenance Services																																	Director of Housing and Environmental Services
Review of Street Scene Services																																	Director of Housing and Environmental Services
Review of Waste Services																																	Director of Housing and Environmental Services
Review of Approach to Customer Services / Engagement																																	Director of Finance and Corporate Services
Recreation facilities in rural villages (Section 106 contributions)																																	Director of Community and Planning Services
Review of IT Provision																																	Director of Finance and Corporate Services
Review of Member Training																																	Director of Community and Planning Services / Legal and Democratic Services Manager
Review of New Depot																																	Director of Finance and Corporate Services

Key

Report to Committee



Verbal Update / Presentation



Report to Task Group



Public Meeting

