

Environment Committee

8 March 2016

Title	Commercial Waste Transformation
Report of	Commissioning Director - Environment
Wards	All
Urgent	No
Key	Yes
Status	Public
Enclosures	None
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Summary

Officers have assessed the current Commercial Waste service run by the Council and believe that there are opportunities to transform and improve the services which it offers. These services need to help the growing business community, while also introducing recycling for businesses and reducing the amount of waste containers which blight our high-street.

This will lead to a much improved service for our customers and residents. Options such as a pay as you go service, daily collections, evening collections, and smart phone Apps, to support easy payment and to schedule collections, will all be looked at as part of the new service. This links with strategic objectives of Entrepreneurial Barnet, ensuring we are meeting the needs of the businesses in the Borough.

To support this innovative approach, a number of policies that will need to be in place to support the aims of the business. This includes the introduction of time-banded collections on our high streets and compulsory commercial waste recycling. We will link to the Councils enforcement strategy, to ensure all business' are disposing of their waste legally, either through Council Services or a licenced private sector company. This ensures fairness to all businesses and stops the council having to pay to clear flytips.

Recommendations

- 1. That the Environment Committee approves the vision for the Commercial Waste Service in section 1.6**
- 2. That the Environment Committee approves the introduction of policy 1 in section 1.14 to Maximise Recycling**
- 3. That the Environment Committee approves the introduction of time banded collections and the introduction of policy 2 in section 1.14 related to time banded commercial and household waste and recycling collections, for those residents and businesses which fall in time banded high-street collection Zones. This also includes the option to specify the colours of the container/sacks used by the Council and other waste collectors**
- 4. That the Environment Committee approves the introduction of policy 3 in section 1.14 to prevent bins from cluttering the Streetscene in high-street collection Zones**
- 5. That the Environment Committee approves the introduction of policy 4 from 1 April 2016 in section 1.14 to enable commercial waste manager to be commercially flexible with customer charges and offers**

1. WHY THIS REPORT IS NEEDED

- 1.1 The Council is taking steps to address the demands of a developing Borough and the impacts on its built and natural environments through developing a number of strategies, frameworks and policies. These include strategies for parks and open spaces, recycling and waste, enforcement against environmental crime as well as a new cleansing framework. These will ensure that we are well placed to respond to these challenges now, and are prepared to be able to manage the issues in the future.
- 1.2 The current Commercial Waste service has opportunity to transform and improve the services to help the growing business community, while also introducing recycling for businesses and reducing the amount of waste containers which blight our high-street. This links with strategic objectives of Entrepreneurial Barnet, ensuring we are meeting the needs of the businesses in the Borough.

Current Commercial Waste Service

- 1.3 The Council provides an “in-house” commercial waste collection service with the preference of containerised collections. Currently the service only offers the collection of general commercial waste and not commercial recycling or food waste.
- 1.4 Income generated from the service for the financial year of 2014/15 was £2.34million. The service has circa 2,500 customers across the borough, predominantly small to medium size independent businesses requiring a variety of bin sizes and single or multiple lifts per week.

- 1.5 The service has an estimated 30% of the market share in regard to the number of businesses in the borough.

The Vision for Barnet's Commercial Waste Services

- 1.6 Barnet's vision for its commercial waste services is that it should:
- A. **Provide excellent customer service and customer satisfaction**
 - B. **Provide services that help the growing business community to manage its environmental impact; *Linked to the aims of the Municipal Recycling and Waste Strategy 2016-2030***
 - C. **Embrace new technology and ways of working that helps deliver services that respond better to the needs of our business community; *Linked to the aims of the Municipal Recycling and Waste Strategy 2016-2030***
 - D. **Meet the 50% municipal waste recycling target; *Linked to the aims of the Municipal Recycling and Waste Strategy 2016-2030***
 - E. **Be innovative to meet the needs of its customers;**
 - F. **Ensure that its service do not negatively impact the local street scene, and instead create a bin free high-street; *Linked to the aims of the Entrepreneurial Barnet 2015-2020***
 - G. **Expand the sack collection based service where it is more appropriate;**
 - H. **Meet the commitments of the Medium Term Financial Plan;**
- 1.7 This vision links with strategic objectives of Municipal Recycling and Waste Strategy and Entrepreneurial Barnet in particular helping improve customer access and ensure fit for purpose infrastructure.
- 1.8 To ensure a sustainable and transparent financial basis for the commercial waste service, and to achieve the visions of the service set out above, it is recommended that a standalone commercial waste service is created within the Streetscene Delivery Unit, with a clear separation between the household and the commercial services
- 1.9 Separation between the commercial collection and household collection will enable the service to work differently and be more reactive to the needs of our businesses customers. It will also enable better services to be delivered for flats above shop collections, and recycling and waste collections from back alleyways, as part of the household collections.
- 1.10 Collection frequencies will be reviewed to ensure they fit the needs of the customers. Some areas where waste storage is difficult or the business community dictate may need to have daily collections.

- 1.11 The commercial waste service will look at new ways of delivering elements of its services, i.e. the use of Amazon for the ordering and delivery of commercial recycling and waste sacks and “in store” recycling infrastructure.

The Barnet Group

- 1.12 The interim senior management role being taken on by the Barnet Group will support the project to transform the service.

Proposed Commercial Waste Services Policies

- 1.13 To enable the new commercial waste services to; i) increase the service which it offers, meet the commitments in the medium term financial plan (MTFP), and ii) fulfil the obligations of the new Municipal Recycling and Waste Strategy, a number of new policies will be needed
- 1.14 These proposed policies can be seen below:

#	Policy Areas	Description	Rationale
1.	Maximise Recycling	<p>All customers for Barnet Commercial Waste service have to contract for a minimum of collection of non-residual waste by volume of.</p> <p>25% by 2017/18*</p> <p>50% by 2018/19</p> <p><i>*unless a waste audit shows that a specific business does not have enough recyclable waste to meet this level once it is sorted</i></p>	<p>The Municipal Recycling and Waste strategy sets a target of 50% recycling. If our commercial waste service does not ensure businesses recycling then we will not reach this target.</p> <p>Business should be helped to take responsibility for their impact on the environment.</p> <p>The Councils principle of fairness will be met as business will be expected to recycle as residents do.</p>
2.	Time Banded Collections	<p>Once time banded collections are introduced in an area, Barnet's Commercial waste service will only collect recycling and waste from the highway in line with the time bandings for an area. Commercial operators will be prevented from collecting outside of these times</p>	<p>The time banding will reduce containers left out for collection and remove vehicles from busy areas in the rush hour</p>
3.	Bins on Highways	<p>From 1/04/2017 the Council will not provide any bins for businesses, or collect from them unless they can be kept and collected from off the public highway.</p> <p>Enforcement action will be taken against those who place recycling</p>	<p>To keep our street scene uncluttered and welcoming, and ensure business take responsibly for their waste containers</p>

		and waste out at the wrong time. This will be both for Council customers and Commercial operators customers.	
4.	Charges	That the commercial waste manger can authorise discount fees and charges for customers within 20% of the set fees and charges	To ensure new customers are secured and current customers are kept

Time banded Collections

- 1.15 Under Section 20 and 22 of the London Local Authorities Act 2007, the Council has the authority to introduce time banded recycling and waste collections. Many London Boroughs have already done so including Brent, City of London, Enfield, Hackney, Lambeth, Merton, and Westminster
- 1.16 Time banded collections scheme sets time specific slots during the day when sacks and bins of waste and recycling may be put out on the highway for collection. This enables specific slots for commercial waste contractors or the council to collect the recycling and waste, from business and households.
- 1.17 Outside of the time banding all business and residents in an area would be restricted from putting out recycling waste for collection on the public highway and footpaths. If they do the Council will be able to take enforcement action against them, which would result in a fine. As well as improving the street scene to the front of business it will improve back alleyways and areas behind shops. Controlling when and who can put recycling and waste in an area will cut down anti-social behaviour and increase the ability to carry out enforcement. We will ensure all business' are disposing of their waste in a legal manner, either through Council Services or a licenced private sector company. This ensures fairness to all businesses and stops the Council having to pay to clear flytips.
- 1.18 Time banding does not affect businesses and households who have waste collection from within their own property, such as those who use bin stores.
- 1.19 With increasing numbers of people living and visiting our town centres for business and leisure, there has been an increase in waste containers and sacks being presented making the street scene less attractive. This can be unpleasant and also hazardous for pedestrians when left on the public highway. Waste and recycling left for collection can also cause litter and encourage unwanted vermin
- 1.20 The implementation of time banded collections would aim to improve the local environmental quality, and in turn help make our town centres a more attractive place to live, work and visit.
- 1.21 The borough regulations will need to be amended to enable the introduction of time bands under the London Local Authorities Act 2007. These changes can also be used to stipulate the type and colour of the containers/sacks to be used, as well as, the location and the manner in which recycling and waste are presented. For example all waste from businesses could be place for collection at the front of the shops in colour coded sacks. While all waste from flats above

shops could be place for collection at the back of the shops in different colour coded sacks.

Enforcement

- 1.22 Under the Environmental Protection Act 1990, businesses have a “Duty of Care” to ensure that commercial waste is disposed of correctly and with a licenced company or local authority. It has been estimated that up to 30% of the current businesses in Barnet have no official waste collection arrangements.
- 1.23 The transformed commercial waste service will have strong links to an enhanced environmental enforcement approach. Businesses will be checked to ensure they have the correct waste contracts in place. Those who do not will be given a week to ensure they obtain the correct contract. Information on the Council service will be provided, although it will be clear that any licensed waste contractor can be used.
- 1.24 The Council will look to take enforcement action against those who dump waste in back alleyways and areas behind shops. This will apply to businesses residents, and visitors to the borough.
- 1.25 Enforcement against businesses who fly-tip within our borough will be increased, will be publicity on any warning and convictions obtained.

Actions Needed

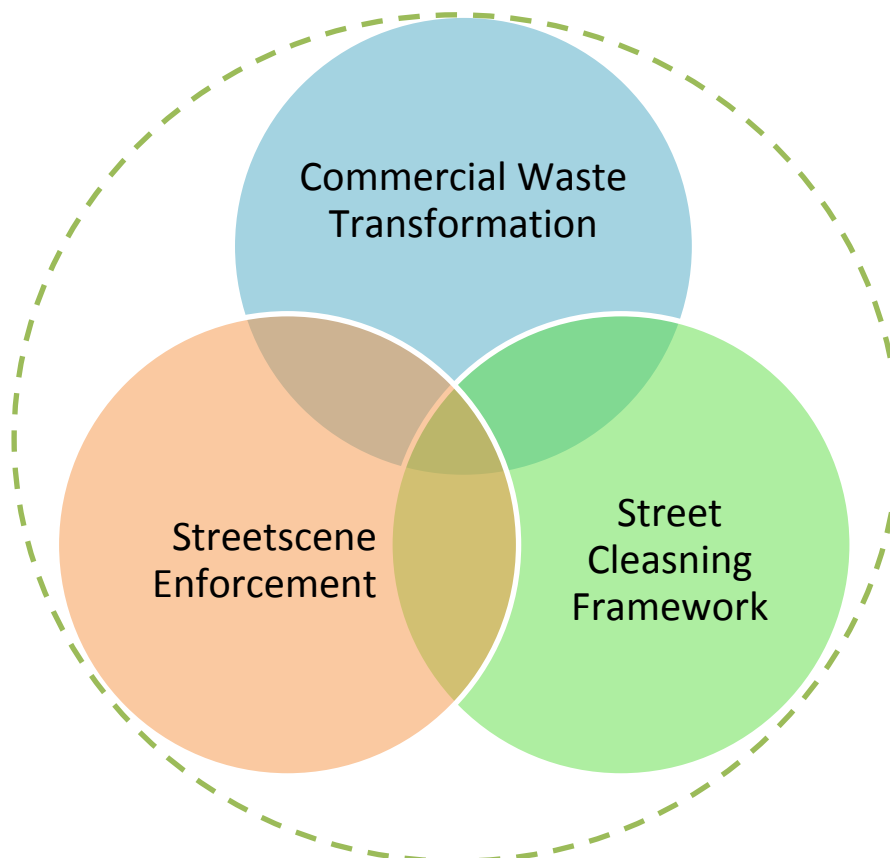
- 1.26 The table below highlights the key priority actions, milestone and resources which will be needed over the next 12 months.

#	Priority Actions Areas	Description	Milestone	Resources
1.	Revise service and collection offerings	Establish which services will be offered, the charges and how and where the waste and recycling will be taken. Including the expansion of a sack based service	1/9/2016	<ul style="list-style-type: none"> • Operations (DU) • Finance • Business Support
2.	Revise commercial waste service delivery model	Establish how the stand alone service will be structured and operate, making changes were needed in consultation with staff and unions	1/9/2016	<ul style="list-style-type: none"> • Operations (DU) • HR
3.	Establish time banded collection areas	Review collection areas, especially those in town centres to see which would benefit	1/9/2016	<ul style="list-style-type: none"> • Legal • Operations (DU) • Communications

		from restricted collection times and a reduction in containers on the highway		
4.	Business rebranding and expansion	Launch of the “new” service and what it can offer as a clear message to businesses in Barnet, on the good value services the council can provide	4/4/2017	<ul style="list-style-type: none"> • Communications • Advice from Entrepreneurial Barnet • Business Support
5.	Introduction on new technology for customers and service delivery	Explore and review areas where technology will lead to efficiency or a better customer experience	4/4/2017	<ul style="list-style-type: none"> • Operations (DU) • IT • Business Support

Links to other Streetscene Development

- 1.27 The Commercial Waste Transformation project sits alongside two other major Streetscene projects aimed at improving local environmental quality, while also meeting the objectives of the MTFP. If any of these projects are not implemented then it is likely to have a significant negative impact on the other areas, i.e. not implementing greater Streetscene enforcement would mean that greater resources would still be needed to tackle the clearing of fly tipped waste rather than reducing the amount of waste flytipped



2. REASONS FOR RECOMMENDATIONS

- 2.1 **Recommendation 1** - It is recommended that Environment Committee approves the vision of the commercial waste service. This will enable the service to have a clear focus on what it needs to accomplish while also achieving the commitments to the medium term financial plan.
- 2.2 **Recommendation 2** - It is recommended that Environment Committee approves the policy 1 in section 1.14 to Maximise Recycling. This will enable the new service to ensure that its customers are encouraged to recycling and reduce their impact on the environment. It will also aid the Council reaching its 50% recycling target.
- 2.3 **Recommendation 3 and 4** - It is recommended that Environment Committee approves the policy 2 and 3 in section 1.14. This will promote an improved Streetscene, preventing waste and recycling being on the street for prolonged periods of time.
- 2.4 **Recommendation 5** - It is recommended that Environment Committee approves the policy 4 in section 1.14. This will enable the Commercial Waste service to ensure new customers are secured and current customers are kept

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The council could continue to operate the service with no changes. This is not recommended as the commitments in the medium term financial plan would not be met. It would also prove difficult to meet the 50% municipal waste and recycling target.
- 3.2 The council has the option of scaling back its commercial waste service and only offering to businesses who insist the council must pick up their waste. This is not recommended as the commitments in the medium term financial plan would not be met.
- 3.3 The council could look at providing a service in partnership with a neighbouring authority. This is not recommended at this time as significant changes are need in 2016/17. It would, however, be prudent to continue to explore where partnership working maybe possible in the future.

4. POST DECISION IMPLEMENTATION

- 4.1 If the Committee is so minded to approve recommendations, current Commercial Waste model will be reviewed and revised. The key priority actions, milestone and resources will be followed as set out in 1.26

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The Corporate Plan 2015-2020 is based on the core principles of fairness, responsibility and opportunity to make sure Barnet is a place:
- Of opportunity, where people can further their quality of life
 - Where people are helped to help themselves, recognising that prevention is better than cure
 - Where responsibility is shared, fairly
 - Where services are delivered efficiently to get value for money for the taxpayer
- 5.1.2 The Corporate Plan 2015-2020 includes the following aims:
- We will be a Leader in London for recycling
 - Over 50% of waste collected will be reused, recycled or composted in 2020
- 5.1.3 Changes to the commercial waste service could also help in facilitating removing any barriers or unnecessary costs of growth for successful local businesses
- 5.1.4 At this stage in the development the changes to the commercial waste service there are no implications relating to the Health and Wellbeing Strategy and its stated priorities, or the future health and wellbeing needs of the local population as identified in Barnet's Joint Strategic Needs Assessment.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 The aim of the commercial waste commissioning plan is to reduce the council's net expenditure on recycling and waste services by looking at how Medium Term Financial Strategy (MTFS) savings can be achieved and how additional income can be brought into the service. The 2014/15 net budget for commercial waste service was £2.34 million. The aim will be to deliver an increase in net income of £200,000 in 2017/18, and further £300,000 in 2018/19 and then a further £300,000 in 2019/20.
- 5.2.2 For procurement and property at this stage there are no implications.
- 5.2.3 Staffing implications may arise from the restructuring of the service. Appropriate early consultation and engagement will be carried out with staff to ensure a smooth transition to the new service.
- 5.2.4 The vision for the commercial waste service includes those which are clearly linked to IT, these will be explored further through the actions plan
- 5.2.5 The vision for the commercial waste service includes those which are clearly linked to sustainability, including
- Provide services that help growing business community to manage its environmental impact
 - The service will encourage recycling aiming to achieve a 50% recycling rate.

5.3 Legal and Constitutional References

- 5.3.1 Local authorities have a number of different statutory powers in relation to recycling and waste collection, including collections from commercial premises. The environmental Protection Act 1990 (as amended), the Controlled Waste Regulation 1992 (as amended) the London Local Authorities Acts 2007 (as amended). These acts set out the duty to collect waste, the ability to charge for waste and recycling and the ability to introduce time banded collections.
- 5.3.2 The Council's Constitution (Clause 15A, Responsibility for Functions, Annex A) sets out the terms of reference of the Environment Committee. This includes
- commissioning refuse and recycling, waste minimisation and street cleaning,
 - approve any non-statutory plan or strategy within the remit of the Committee that is not reserved to Full Council or Policy and Resources Committee.
 - approve fees and charges for those areas under the remit of the Committee
- 5.3.3 This matter is not reserved to Full Council or to the Policy and Resources Committee as the Constitution specifically allocates matters of this type to the Environment Committee.

5.4 Risk Management

- 5.4.1 The management of risk is done on a continual basis and reported as part of the Council Quarterly Performance regime and considered as part of the Performance and Contract Management Committee quarterly monitoring report.
- 5.4.2 Risks are managed through the project boards and reviewed and revised at its meeting. The current key risk areas are regarding:

Description	Likelihood	Impact	Risk Level	Mitigation	Likelihood	Impact	Risk Level
If business do not want to recycle their waste then recycling rates will not be achieved and/or customers will be lost	2	3	6	Ensure that the packages offered to business make recycling a good economic option	2	2	4
If new customers are not attracted by the new services then the financial commitments of the MTFP will not be met	3	3	9	Good promotion of new service and its benefits, as well as ensuring that it offers high customer service	2	3	6

Description	Likelihood	Impact	Risk Level	Mitigation	Likelihood	Impact	Risk Level
				and good value			
If staff are opposed to changes to the service then the change process will become more complex and the project may be delayed	3	2	6	Appropriate early consultation and engagement will be carried out with staff and unions to ensure a smooth transition to the new service	2	2	4

5.5 Equalities and Diversity

5.5.1 The Corporate Plan 2015-2020 sets the Strategic Equalities Objective, which is: that citizens will be treated equally, with understanding and respect, and will have equal access to quality services which provide value to the tax payer. Changes to policies and services are analysed in order to assess the potential equalities impacts and risks and identify any mitigating action possible before final decisions are made.

5.5.2 The outline business Case for commercial Waste has been reviewed against the protective characteristics groups under the 2010 Equality Act namely age, disability, ethnicity, gender, gender reassignment, marriage and civil partnerships religion and belief, sexual orientation and transgender. No specific impact has been found. It has been noted, however, the promotion of the service within different ethic business communities could have a positive impact on the service.

5.6 Consultation and Engagement

5.6.1 As part of the Recycling and Waste Strategy consultation which is live between 18 January 2016 and 13 March 2016, views were sought on whether businesses in Barnet should be offered recycling services and be expected to recycle. Feedback on the initial analysis will be available during the committee meeting.

5.6.2 Engagement will be carried out with local businesses providing them with opportunities to express their views on what services they would like.

6. BACKGROUND PAPERS

6.1 [Draft Municipal Recycling and Waste Strategy 2016-2030](#)

6.2 [Entrepreneurial Barnet 2015-2020](#)