

Vibrant and Sustainable City Scrutiny Panel

Minutes - 12 July 2018

Attendance

Members of the Vibrant and Sustainable City Scrutiny Panel

Cllr Mary Bateman
Cllr Philip Bateman MBE
Cllr Greg Brackenridge
Cllr Val Evans
Cllr Keith Inston
Cllr Beverley Momenabadi
Cllr John Rowley
Cllr Martin Waite (Chair)

In Attendance

Cllr Steve Evans

Witnesses

Mr Daniel Edwards (Kingdom)
Mr Paviter Singh (Team Leader – Kingdom)

Employees

Martin Stevens (Scrutiny Officer) (Minutes)
Ross Cook (Director- City Environment)
Colin Parr (Head of Business Services)
Mike Butler (Lead Officer for Waste)
Shaun Walker (Service Lead – Residential)

Part 1 – items open to the press and public

Item No. *Title*

- 1 **Apologies**
Apologies for absence were received from Cllr Ian Angus, Cllr Bhupinder Gakhal and Cllr Christopher Haynes.
- 2 **Declarations of interest**
There were no declarations of interest.

3 **Minutes of the previous meeting**

The minutes of the previous meeting were confirmed as a correct record and signed by the Chair.

4 **Matters arising**

The Chair asked for an update to be given on the recommendations that had been made at the last meeting in relation to air quality. The Service Lead for Residential responded they were working with ICT on some technical issues to display the air quality data collected from the monitoring stations. The City Council were currently responding to the government mandate to produce a targeted feasibility study on how air quality could be improved at certain key locations. This was currently in development and would be made available at the end of the month. DEFRA had not permitted them to use the grant money available on new air quality monitoring equipment.

5 **Kingdom**

The Chair welcomed Mr Daniel Edwards and Mr Paviter Singh (Team Leader) representing Kingdom to the meeting.

The Team Leader for Kingdom gave a verbal presentation on the work which Kingdom carried out on behalf of the Council. He said Kingdom had been in partnership with the Council since 2015 to make Wolverhampton a safer, cleaner and greener place. They tackled issues surrounding litter offences and walkers failing to remove dog faeces. They had achieved considerable success since the contract commenced. Their work had initially begun with a twelve-month pilot scheme. Since the Council had begun working with Kingdom there had been a reduction in the overall amount of litter in the Wolverhampton area. Kingdom also had contracts with Walsall, Dudley and Birmingham.

Several members of the Panel expressed their support for the work Kingdom were carrying out on behalf of the Council. A Member asked about the recent coverage in the Express and Star newspaper regarding the headline of “dropped an apple, face an eighty pound fine.” The article was in reference to the PSPO (Public Space Protection Order) in Park Village. The majority of comments she had seen on the social media platform, Facebook, had been of a positive nature in reference to the PSPO. There were a couple of negative comments she had seen, which included a person who alleged his wife had been fined £75 for dropping a cigarette outside New Cross Hospital having just been diagnosed with Cancer. She was also aware of a homeless person who had been given a fine outside of a hostel. She asked how Kingdom supported vulnerable people including those with learning disabilities.

The Team Leader for Kingdom stated they had a representation process where if there were mitigating circumstances they could be forwarded in writing to them. The case would then be reviewed and if it was deemed appropriate the fixed penalty notice would be revoked. Kingdom Officers were allowed to give a verbal warning if it was obvious they were dealing with a vulnerable person, instead of issuing a fixed penalty notice.

The Cabinet Member for City Environment stated he had been the person responsible for signing the contract with Kingdom on behalf of the Council. Before this time, it had been a very limited in-house service, which had little resources dedicated to enforcement. When the service was in-house only 2-3 fines had been

issued in one year. Kingdoms patrols were not just restricted to the City Centre. The service was cost neutral to the Council as part of the fine income went to Kingdom and the remainder was received by the Council. Since the Council's contract with Kingdom, the amount of litter in Wolverhampton had significantly reduced and more people were being caught for dog fouling. Fines could be revoked when there were special circumstances. He was of the view that overall the partnership working with contractor Kingdom had been a great success.

A Member of the Panel asked what training Kingdom gave to their Enforcement Officers in relation to vulnerable people. He had witnessed an event where a person in a wheel chair with motor neurone disease had dropped a full packet of cigarettes when in conversation with him. Three enforcement Officers had appeared from inside the Civic Centre and had assertively issued him with a fixed penalty notice. Whilst the fixed penalty notice was ultimately revoked, he had been appalled by how the gentleman had been treated. The Team Leader for Kingdom in response stated each case was reviewed individually, if a need for training had been identified, the employee (s) would be instructed to undertake further training. There were various in-house training courses and they worked with provider Aspire. There was training in relation to vulnerable adults. He added that Kingdom were not only there to enforce but also to educate and inform.

A Member of the Panel stated that if education was part of the service Kingdom provided, he thought the visibility of their Officers should be improved. He did not agree with covert practices such as hiding behind corners or hiding in buildings. He was of the view that they should wear high visibility jackets with clear identifying marks, which would give people the opportunity to reform their behaviour. The Team Leader for Kingdom responded that the uniform had recently been reviewed. The jacket would be replaced with one of a high visibility style.

A Member of the Panel stated that the Magistrates in Wolverhampton had a diverse range of opinions on fixed penalty notices. Some were of the view that their time was not well spent on these issues. There were concerns around the area of vulnerable people. People with serious special needs would not be capable of effectively representing themselves to have fines revoked.

The Cabinet Member stated he thought it would be useful for the Scrutiny Panel to have an update on the number of people who had applied to have their fines revoked because of special needs or vulnerabilities and the amount of fines that had been revoked. He agreed that effective training should be in place for all Enforcement Officers. He was aware that about 10-15% of people gave false details to Enforcement Officers. He added that the number of fixed penalty notices remaining unpaid should form part of the update paper and the amount of people the Council had pursued through the legal system.

The Service Lead for Residential stated a, Single Justice Procedure, had been introduced where cases were held in Birmingham and not at the Magistrates Court unless the person had pleaded not guilty. The Council did have a policy of pursuing people for non-payment of fines because if they did not, then it would become known that people could get away with non-payment.

Mr Daniel Edwards representing Kingdom said their Officers were mindful of being filmed and appearing on social media. All Kingdom Enforcement Officers had body

cameras on them which were activated before the issuing of a fixed penalty notice and remained recording until the Officer had walked away after the issuing of the notice. This allowed any complaints to be reviewed with the facility of watching the coverage. When Officers commenced their role, they had to complete a five day training course and two days law training. They then spent three days on patrol with experienced Officers. If they were deemed not capable of acting without supervision, they would continue patrols with experienced Officers until ready. Officers were not supposed to issue tickets to people with clear vulnerabilities. All fixed penalty notices issued had to be in the public's, Council's and Kingdom's interests and the representation procedure allowed for mistakes to be corrected. Kingdom were able to extend the 14 days permitted to pay a fine, to help people with financial difficulties.

A Member of the Panel said she had some concerns with dog fouling in the evenings and was particularly concerned about the areas surrounding the canals. The Team Leader for Kingdom said they were carrying out patrols along the canals. In the previous month, four patrols had taken place along the canals and there had been two already in the month of June. Two fixed penalty notices had been issued during the last weekend. They were also now carrying out dog fouling enforcement patrols on all seven days, having recently introduced Sunday's into their schedule.

A Member of the Panel asked how Kingdom dealt with 16 -18-year olds and students at University. The Cabinet Member stated a significant amount of work had taken place with the schools on environmental enforcement which included the use of completions. Education activities also took place within the parks and town centres. The Service Lead for Residential stated there was a Juvenile Enforcement Policy which meant in most circumstances that 16 and 17-year olds would not get a fixed penalty notice. A large amount of work took place with the University, which included them receiving information about fixed penalty notices in their induction packs. For the first two weeks in September enforcement was not carried out around the University grounds, which enabled the University to convey the policies to students around environmental enforcement in the City.

A Member of the Panel asked about the percentage income the Council received from fixed penalty notices. The Service Lead for Residential stated that the income from a fixed penalty notice was £75.00, if paid. £60.00 was received by Kingdom and the remaining £15.00 went to the Council. The Council did not pay any fees to Kingdom for carrying out the enforcement service.

A Member of the Panel stated that communication was key. When prior notice of speeding enforcement was given, some people reformed their behaviour. He felt a similar practice could be introduced for Kingdom enforcement patrols. They also felt the hours where enforcement was carried out by Kingdom should be extended. There was considerable littering in the late evening, which meant litter was visible first thing in the morning. Mr Daniel Edwards representing Kingdom responded that the risk assessment for night-time enforcement was considerably higher. Enforcement at such a time would require discussions with the local Police. People who dropped litter in the evening were often intoxicated and so Police support would be required. The Police provided support in Birmingham where night time enforcement did take place.

Resolved: That the Panel receive an update paper in the future covering the following areas: -

- a) The number of known people with special needs or vulnerabilities who had applied to have a fixed penalty notice revoked and the number that had been successful.
- b) The number of people who had failed to pay their fixed penalty notice.
- c) The number of people the Council had pursued through the legal system for non-payment of fixed penalty notices.

6 **Waste Strategy 2018 - 2028**

The Lead Officer for Waste gave a presentation on the Waste Strategy 2018-2028. There were huge challenges surrounding waste management which were increasing each year. The Council needed to shape its service requirements to be efficient and effective but by still meeting the community needs, legislative needs and financial and operational responsibilities. There was a significant amount of legislative requirements which were often difficult to balance against each other. The development and subsequent implementation of the waste strategy over the next ten years would ensure the timely provision of facilities and services that maximised the sustainable benefits for the community and support regeneration and growth in the City.

The Lead Officer for Waste said the services would be transferred from contractor Amey back in-house to the Council on 1 September 2018. There was a huge programme being undertaken, involving approximately 40 Officers, to make it a smooth transition. The move to alternate week collections for general waste would be phased and implementation would commence in October 2018. There was an assumption that this would be completed in time for Christmas 2018. The introduction of the subscription garden waste service would commence in February 2019. Applications for the service would be able to be made from October 2018 and the bins for the service would be delivered from January 2019. There were no perceived changes to the dry recycling collection service and so the fortnightly collection service would remain in place.

The Lead Officer for Waste stated the waste hold recycling offer would be reviewed and improved with an agreed position in place by April 2021. A major project to develop and deliver waste management facilities would commence early next year. This could include in 2027, replacements for waste transfer stations and the energy from waste contract arrangements.

The Lead Officer for Waste stated the strategy also covered the consolidation of the Council's collection and support operations onto a single site by September 2021. The proposal was to make the maximum use of the Council owned five-acre site at Hickman Avenue. The Council in the future was aiming for a zero waste to landfill service.

A Member of the Panel asked if Ward Members would be informed of the precise dates when the changes to the waste services would take place within their Ward

areas. The Lead Officer for Waste stated that elected members would be kept informed as part of a full communications programme.

The Cabinet Member for City Environment stated that the new subscription based garden waste collection service would provide those who subscribed with a purple coloured bin. People could have multiple purple bins, but they would be charged at £35.00 each per annum. The Council were trying to encourage people to compost as much as possible. There was also the option of people taking their garden waste to the HWRC (Household Waste Recycling Centre). The current household green coloured bins would no longer be able to be used for garden waste. People who wanted a larger bin for general waste, if they notified the Council, could use their current green coloured bin for this purpose and their brown coloured bin would be removed. If they didn't need a larger bin for general waste the green coloured bin would be removed, leaving them with their current brown coloured bin for general waste. Everyone would retain their black coloured bin for recycling.

A Member of the Panel asked what was being done to educate people about the appropriate use of the different coloured household bins. The Lead Officer for Waste responded a major programme of education was commencing from January next year. Nationally the Blue Planet and Sky Ocean Programmes were changing public attitudes towards recycling. A Member of the Panel asked if the Council could make it clearer to the public the types of supermarket like packaging which could be recycled. The Lead Officer confirmed that this would form part of the education programme.

A Member of the Panel referred to the high recycling rates in some countries like New Zealand which was at over 90%. He wanted the Council to push for higher recycling rates. The Lead Officer for Waste stated the Government had a target of eliminating all avoidable plastic waste completely by 2042. The Council aimed to continue to improve its recycling rates over the next ten years.

Members commented that waste and recycling needs had to be taken into account when housebuilding. Innovative solutions, such as underground storage of bins, could be implemented working in conjunction with the planning and city environment teams. There was much to learn from some European countries in how they handled waste.

The Lead Officer for Waste referred to the Council owned site at Hickman Avenue. There was potential for this site to be adapted in 2021 to allow the consolidation of the Council's collection and support operations. A Highways solution was being worked on for the site. Any proposals would have to go through a detailed consultation process. The Cabinet Member encouraged all Members of the Panel and Local Members to visit the site at Hickman Avenue, with the Lead Officer for Waste, if they had not already been on a site visit.

A Member of the Panel asked if there were any plans to improve the trade waste service. In response the Lead Officer for Waste said they were looking to review the service next year.

Resolved:

- A) That the Vibrant and Sustainable Scrutiny Panel receive a briefing note at their meeting on the 6 December 2018 detailing the arrangements for the Christmas waste collection service.
- B) That the Vibrant and Sustainable Scrutiny Panel undertake an evaluation of the Waste Management Delivery Plan at their meeting on 28 February 2019.

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Scrutiny Work Plan

The Chair referred to the Work Programme which had been circulated with the agenda. He also commented that the Scrutiny Manager had circulated via email a list of the areas which had been raised during the Annual Scrutiny Work Programme session held on 28 June.

A Member asked for an item on tree policy to be included on the Work Programme. He was particularly concerned with trees owned by the Council which were overhanging.

The meeting closed at 7:52pm.