

<b>Mayor &amp; Cabinet</b>		
<b>Report Title</b>	Refuse & Recycling Service Standards	
<b>Key Decision</b>	Yes	Item No.
<b>Ward</b>	All	
<b>Contributors</b>	Executive Director for Customer Services	
<b>Class</b>	Open	Date: 10 April 2013

## 1. Summary

- 1.1. Service Standards for Refuse & Recycling were last issued in October 2003. Since then a number of services have changed and it is important that these changes are conveyed to the residents of the borough.
- 1.2. This report sets out proposed new Service Standards for Refuse & Recycling.

## 2. Purpose

- 2.1. The purpose of this report is to agree the proposed Service Standards for Refuse & Recycling with a timetable for them to be issued.

## 3. Recommendation

- 3.1. The Mayor is recommended to:
- 3.2. Approve the proposed Service Standards for Refuse & Recycling as set out in Appendix 1.

## 4. Policy Context

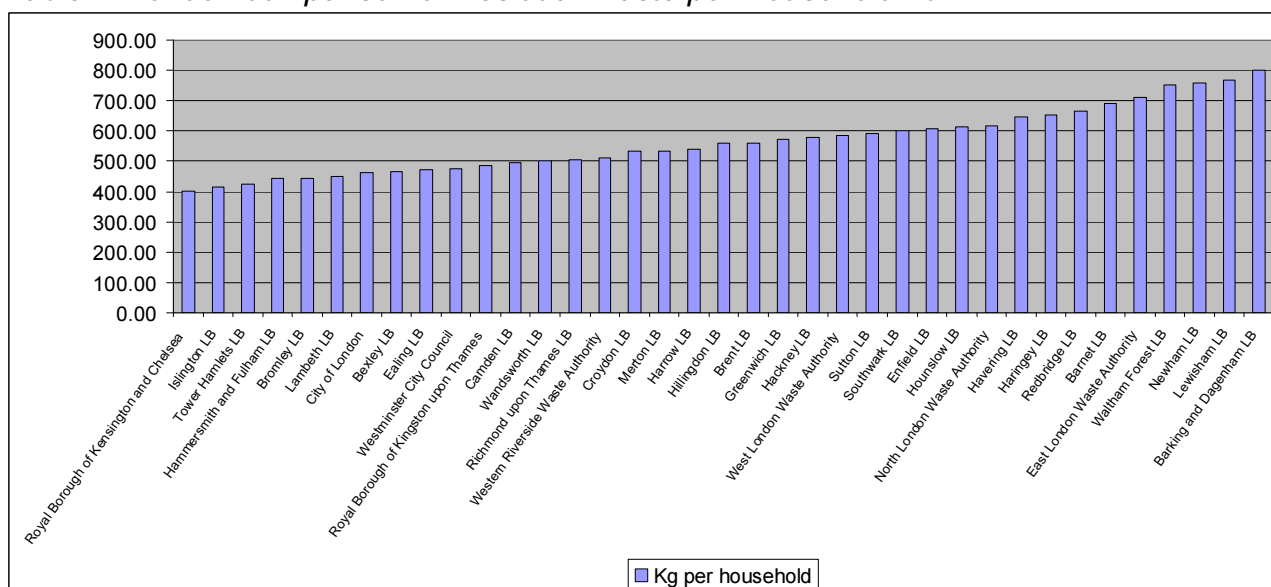
- 4.1. Lewisham shares a vision with its partners to make Lewisham the best place to live, work and learn. The implementation of the Service Standards will contribute towards delivering the Council's corporate priorities, especially in respect of 'clean, green and liveable' and 'inspiring efficiency, effectiveness and equity'.

## 5. Background

- 5.1. The Council distributed Environmental Service Standards in 2003 stating the roles and responsibilities of the Council and informing residents of their responsibilities in ensuring an effective and efficient service.
- 5.2. With new services introduced since the initial Service Standards were distributed, and with new priorities, up to date Service Standards should be issued. There are a number of reasons for updating the Service Standards, which are detailed below.
- 5.3. Informing residents of what the Council's Refuse & Recycling Teams will deliver and explaining what the responsibilities of the householder are in ensuring an effective and efficient service is delivered for all.

- 5.4. Informing residents of the different waste and recycling services that are on offer and how they can participate in them. New services have been introduced or improved, which include an improved recycling service, kerbside battery recycling, garden waste services, mattress recycling and small domestic appliance banks. The Service Standards will also serve as a reminder for services such as the Bulky Waste Service and the Reuse & Recycling Centre.
- 5.5. Reducing the total size of the overall waste stream and the proportion of that sent to landfill and energy from waste remain to the Council's financial benefit and of course form a key element of its overall approach to waste management.
- 5.6. As can be seen from Table 1 below, Lewisham still has a very high kg of residual waste per household, when compared with other London authorities, coming second to last to Barking & Dagenham.

Table 1: London comparison of Residual Waste per Household 2011-12.



- 5.7. Further, a monitoring exercise shows that the putting out of side waste is common practice amongst householders in Lewisham. Over the course of a week, most of the refuse crews recorded incidents of side waste, which numbered 1,470 incidents of side waste across kerbside collections. This doesn't include side waste on estates. Many of these are black sacks, which the crew currently collect. This has a negative impact on performance and disposal costs.
- 5.8. The issue of additional waste, either at the side of a bin or by overloading the bin, also has health & safety implications. Although staff get trained in manual handling, the design of the refuse collection vehicles does not allow for the safe loading of sacks by hand due to the height of the back of the vehicle. Further, over loaded bins can be dangerous as the weight on the back of the lifting equipment can cause the bin (and contents) to fall off the lifting equipment, which could be a hazard to workers, pedestrians and other vehicles. From April 2012 to March 2013 we have had 20 bins over loaded and crushed in the rear of the vehicles.
- 5.9. Another issue that has come to light over the years are the number of bins that are stored on the streets rather than bins being taken back on to the householders property following collection. This can cause obstructions on the highway and in

particular for people who use pushchairs or wheelchairs or are visually impaired. Since April 2012 to March 2013 88 complaints have been received about bins being left on the streets, which has resulted in those streets being issued with a letter informing householders that they should keep the bins on their property.

5.10. The present system of operating collections means that the collection crews collect the bins from a householders property. In most instances this has been trouble-free. However, there are a number of issues that have, and do, cause problems for the collection crews:

- Householders bins are often stored in inconvenient locations e.g. behind cars parked in driveways, through gates with sometimes little room for manoeuvre, all of which slows down the collections making it a less efficient process;
- Since April 2009 to March 2013, there have been 87 insurance claims for damage to property allegedly caused by the crews collecting bins of a property, 31 of which were paid;
- Some properties can pose health and safety issues for the collection crews for example, additional rubbish around bins making them difficult to move or slippery surface such as decking causing potential slip, trip and fall hazards.

5.11. Taking into account the above points, the new Service Standards for Refuse & Recycling include the following key points:

- Information on what receptacles the Council will provide for refuse and recycling;
- Information as to when and where the bin should be placed out for collection:
  - Residents to move their bins / bags out to the edge of their property;
  - Crews to return bins to the outside edge of the property;
- Information on how and what to recycle to increase recycling and reduce levels of contamination;
- Side recycling is allowed by the recycling bin as long as it is clearly identified and presented correctly;
- No side waste by the residual bin and bin lid closed;
- No garden waste in the residual or recycling bin;
- Information on other waste and recycling services available to residents;
- Information on how to contact the Council for service requests;
- Assisted collections clearly communicated to enable those that require them to contact the Council.

5.12. Should the Service Standards for Refuse & Recycling be adopted then distribution should take place in Spring. The distribution would take the form of a shortened version of the full booklet to all households, with the full booklet being available at a variety of community hubs and with the crews should residents request further detail.

5.13. In terms of the monitoring and enforcement of the Service Standards, the approach will be educational in the first instance. This educational route can be undertaken using the crews who can report back any issues which could result in computer generated letters to householders on the CRM system. When a certain point is reached the occupier would be deemed in persistent breach of the Service Standards and enforcement action will then be taken accordingly.

5.14. The Service Standards distribution will be supplemented in a number of ways. This will include, articles in Lewisham Life and the local papers, including the possibility of a local wraparound and a JCDecaux poster campaign, as well as attending ward assemblies and other community and resident meetings, information through social media including the Council website, Twitter and Blog accounts, working with partner organisations including RSL's and private landlords and distribution through libraries and educational establishments.

5.15. Full details of the Service Standards for Refuse & Recycling can be found in Appendix 1.

5.16. As a result of the Service Standards production, Lewisham will be eligible to sign up to the WRAP Household Recycling and Waste Services Commitment, (Appendix 2), along with 115 other local authorities.

## **6. Financial Implications**

6.1. There are no financial implications arising from the implementation the service standards set out in this report. If successful, the diverting of waste from landfill and energy from waste the may see a cost reduction for the Council, depending on the cost of disposal and the recycling market at the time.

6.2. The cost of producing and distributing the service standards is being funded by WRAP from the Recycle for London Programme.

## **7. Legal Implications**

7.1. There are no specific additional legal implications to add, saving for noting the following.

7.2 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.3 In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

7.4 The duty continues to be a "have regard duty", and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

7.5 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled "Equality Act 2010 Services, Public Functions & Associations Statutory Code of

Practice". The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at: <http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

7.6 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

7.7 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice.

Further information and resources are available at:

<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

## **8. Equalities Implications**

8.1. The proposed new Service Standards will mean some changes to the current system of what can and cannot be put out for collection, but much of what the Service Standards contain is a reinforcement of the Service Standards that were issued in 2003 e.g. not overloading the bin and moving the bin to the edge of the property.

8.2. Ensuring that residents of the borough have access to effective & efficient waste and recycling services and access to information, is integral to the delivery of the waste and recycling services. Identified equalities issues include:

- Accessing of services, in particular for disabled and elderly householders;
- Potential obstructions to users of the public highway in particular people who are disabled especially visual impaired and wheelchair users and parents / carers using push chairs;
- Tackling potential barriers to access to information and awareness raising including the ability to reach out to 'seldom heard' groups.

8.3. By distributing the proposed Service Standards positive impacts on some of the protected characteristics will follow. These are detailed below.

8.4. Access to services:

- A new assisted collection procedure has been implemented for applicable residents and this will be promoted in the Service Standards which will mean that people in need of an assisted collection will be informed of the service;

- By working with partners we will ensure that new and transient populations of Lewisham are aware of the Service Standards (including working with RSL's and landlords);
- The impact of this intervention will be reviewed after six months by the Environment & Community Development Team.

#### 8.5. Highways Obstructions:

- From April 2012 to March 2013, 88 complaints about bins being left on streets have been received. Bins left on streets has a negative impact on people with disabilities e.g. visual impairment and wheelchair users as well as people with pushchairs;
- By ensuring that the collection crews return bins to edge of property and that householders take their bins in by the evening of the collection day, should ensure that no more than a fifth of bins are out on the streets in any one week thereby reducing the number of potential pavement obstructions;
- The impact of this intervention will be reviewed after six months by the Environment & Community Development Team.

#### 8.6. Barriers to information:

- Barriers to information is a continuing issue and to ensure that this is addressed, Officers will continue to attend community events and giving talks e.g. elderly groups, disability groups, maternity groups;
- The impact of this intervention will be reviewed after six months by the Environment & Community Development Team.

8.7. It is expected that a positive contribution to equalities may arise for the reasons mentioned in 8.5 – 8.7 above. It is considered that the adoption of these controls will have no adverse impact on any of the protected characteristics.

8.8. The Service Standards will be reviewed after a year to determine whether there have been any adverse effects that need to be mitigated. Should it become subsequently apparent that the Service Standards disproportionately and adversely impact any of the protected characteristics, Environmental Services would seek to engage with those affected to see how this impact might be reduced without undermining the Service Standards.

### **9. Environmental Implications**

9.1. Waste should be managed in ways that protect human health and the environment, and in doing so will help achieve the aims of a sustainable Lewisham. By adopting the Service Standards for Refuse & Recycling, waste and recycling will be better managed in that there should be increased recycling, reduction in overall household waste and less fly tipping. Further it is hoped that the street scene will be improved, with less bins left out on the street, which have in the past caused impediments to cleansing.

### **10. Crime & Disorder Implications**

10.1. There are no direct crime and disorder implications.

## **11. Conclusion**

11.1. This report sets out the proposed new Service Standards for Refuse & Recycling. The report highlights the reasons as to why the outlined approach has been taken and further details the potential improvements on introduction of the Service Standards.

## **12. Background Information and Report Author**

12.1. There are no background documents to this report.

12.2. For further information relating to the report, please contact Sam Kirk, Strategic Waste & Environment Manager on 020 8314 2076 or email [sam.kirk@lewisham.gov.uk](mailto:sam.kirk@lewisham.gov.uk).

### **Appendix 1 – Service Standards for Refuse & Recycling**

### **Appendix 2 - WRAP Household Recycling & Waste Services Commitment**