MOTION TO COUNCIL ON PLASTIC BAGS

1 Purpose of Report
1.1 To allow Members to consider a Motion requested by Cllr Crofts regarding the use of plastic bags by retailers in the Borough.

2 Executive Summary
2.1 The Motion was put to the Council at its meeting held on the 27th November 2007 and The Mayor informed Cllr Crofts that it would be considered by a future Environment Committee.

3 Proposed Action
3.1 The Committee is invited to RECOMMEND that:
   (a) The Council fully supports the growing campaigns for the reduction in the use of plastic bags.
   (b) The Council writes to the Wellingborough Chamber of Commerce to encourage its Members and other retailers in the Borough not to give away free plastic bags.
   (c) That the Northamptonshire Waste Partnership be asked to consider the issue with a view to adopting a county wide approach.
   (d) That no action be taken on the suggestion to introduce a by-law on the issue.

4 Background
4.1 Cllr Crofts requested that a Motion regarding the use of plastic bags should be considered by Members at the Council meeting held on the 27th November 2007. However, the Mayor stated that it should be referred to the Environment Committee for consideration. A full copy of the Motion is attached as Appendix 1

5 Discussion
5.1 In the UK between 13 and 17 billion carrier bags are issued every year and in excess of 70 towns in the country are proposing becoming plastic bag free zones,

5.2 The environmental charity ENCAMS reported in 2005 into litter composition and found that carrier bags represent 0.06 % of litter and 0.3% of household waste. Plastic waste, such as plastic bags, often becomes litter. For example, nearly 57% of litter found on beaches in the UK in 2003 was plastic.
5.3 Most organisations agree that there should be a reduction in the use of “single use carrier bags”, however there are differing views on how this should be achieved. This varies between an outright ban, levying a tax or a voluntary scheme.

(a) London councils have introduced a Private Bill in Parliament (London Local Authorities (Shopping Bags) Act 2008). This would prohibit the issuing by retailers of “shopping bags”, which are defined as “a bag supplied by a retailer and which has the primary purpose of carrying items purchased from that retailer on the occasion on which the bag is so supplied;”. The timescale for the introduction of the bill is uncertain, but it could be in force by the end of 2008 if successful.

(b) In Ireland, the plastic bag environmental levy was introduced on 4 March 2002. It has operated a charge on plastic shopping bags that is levied directly on the consumer.

(c) The British Retail Consortium (BRC) and the Waste Resources Action Programme (WRAP) - backed by government funding from DEFRA - also oppose a plastic bag levy. They prefer to champion other ways of reducing the volume of plastic bags used by consumers.

More background information on the above including what happened in Ireland and the views of other interested organisations, is attached as Appendix 2.

5.4 Enquires have been made with other councils in Northamptonshire regarding any policies or initiatives they have tried to introduce. Only the County Council have currently agreed to promote the reduction of plastic carrier bags and are doing so in partnership with the local newspaper.

5.5 The pilot project will roll out to (approx 70 – 100 businesses) and if successful to the rest of the Town centre. Each Shop or small business will be encouraged to reduce or stop giving out plastic bags, replace the bags with paper bags or compostable plastic bags. The project will endeavor to put the businesses in touch with environmental organisations to purchase environmentally friendly bags etc. The businesses will also be encouraged to look at reducing packaging of the items they sell, the waste they generate and also reduce the energy they use.

5.6 The Northamptonshire Waste Strategy which has just finished its public consultation phase has no specific mention of this issue as it is intended to be at a high policy level. However it at can be implied in the Principles outlined below that the Strategy supports action being taken on the issue:

- Principle 1: The Waste Hierarchy – preventing waste being the first preference.
• Principle 3 Community Involvement – their views are taken into account and they take responsibility for their role in managing waste in line with the waste hierarchy.

• Policy 17 National Legislation and Policy – We will lobby relevant government departments and agencies, as well as other organisations, for the introduction of policies and financial arrangements which support the delivery of this strategies principles.

5.7 With regard to the Council introducing a bylaw banning plastic bags (Item 5), the view of the Council’s legal adviser is that it would be premature because Government announced in the Queen’s speech an initiative to deal with this matter and accordingly it would be unlikely that the Secretary of State would approve such a bylaw for an individual Local Authority. The process of making a bylaw involves consultation and processes that will take some time and consume resources that may be unnecessary if central government is to implement measures itself. Furthermore careful consideration would be needed to consider how to implement a suitable bylaw particularly as they are open to legal challenge. The matter could be investigated thoroughly. However in view of the above comments both relating to the legal impediment and the County and Waste Partnership initiatives, it may be considered that the legal resource may be applied more productively elsewhere. Additionally consideration needs to how such a by-law would be enforced and the resources available to “police” it.

6 Legal Powers

6.1 Local Government Act 1972 (primary non specific bylaw enabling Act)

7 Financial and value for money implications

7.1 There are no direct financial implications from this report.

8 Risk analysis and Implications

<table>
<thead>
<tr>
<th>Nature of risk</th>
<th>Consequences if realised</th>
<th>Likelihood of occurrence</th>
<th>Control measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not supporting the generally held view that single use plastic bags are an environmental problem</td>
<td>The Council could be seen by the public as not an “environmentally friendly organisation”</td>
<td>Low</td>
<td>Members support the recommendations in the report</td>
</tr>
<tr>
<td>Significant resources used to create new by-law which is difficult to enforce</td>
<td>Resources diverted from other Council priorities</td>
<td>High</td>
<td>Not to introduce a by-law at this time.</td>
</tr>
</tbody>
</table>
8.1 **Implications for Resources**
None directly from this report.

8.2 **Implications for Stronger and Safer Communities**
None directly from this report

8.3 **Implications for Equalities**
None directly from this report

9 **Author and Contact Officer**
R K Smith; Amenity Services – Service Development and Performance Manager

10 **Consultees**
Brian Stewart – Legal Services Manager Connect Law
Bob Entwistle – Executive Director Stronger Communities
Tony Lear – Interim Manager Environmental Protection

11 **Background Papers**
Background information for this report has been researched via the internet.
Appendix 1

PROPOSED MOTION FROM CLLR CROFTS:

The Borough Council of Wellingborough:

1. Calls upon the government to ban plastic bags or introduce a tax on all plastic bags at the earliest opportunity.

2. Asks local shops not to give away free plastic bags and to encourage the use of sustainable alternatives and asks the Wellingborough Chamber of Commerce to encourage its members to support this campaign.

3. Asks the people of Wellingborough to use re-cycled and/or non-plastic/sustainable bags when shopping.

4. Supports the growing campaign by local authorities across the UK to either ban, or strongly dissuade, shops in their locality giving away free plastic bags.

5. Asks officers of the council to investigate the possibility of introducing a local byelaw banning plastic bags and to report back the Council’s Environment Committee on this issue at the earliest opportunity.
Appendix 2- Additional background Information on the issue of Plastic Bags

The production and use of plastics has a range of environmental impacts. Firstly, plastics production requires significant quantities of resources, primarily fossil fuels, both as a raw material and to deliver energy for the manufacturing process. It is estimated that 4% of the world's annual oil production is used as a feedstock for plastics production and an additional 3-4% during manufacture. In addition, plastics manufacture requires other resources such as land and water and produces waste and emissions. The overall environmental impact varies according to the type of plastic and the production method employed. Plastics production also involves the use of potentially harmful chemicals, which are added as stabilisers or colorants. Many of these have not undergone environmental risk assessment and their impact on human health and the environment is currently uncertain.

In early 2007, the small town of Modbury, Devon saw its 43 retail traders introduce a voluntary plastic bag ban. It was the first town in Europe to introduce a complete ban. The town has introduced alternatives such as biopolymer, paper and cotton bags. A number of retailers have already implemented initiatives to encourage consumers to reduce the number of plastic bags they use; and re-use and recycle those they do take home.

The Governments new Waste Strategy sets out how they intend to work with retailers on a voluntary end to free single use bags. The strategy states that “Although plastic bags are a small part of the domestic waste stream, they are very visible and an issue on which individuals can take action themselves.” In the longer term, the Government envisages, retailers phasing out the use of disposable bags and only selling long-life reusable bags, or retailers charging for disposable bags, and using the proceeds to sell long-life reusable bags at a discount.

The Waste & Resources Action Programme (WRAP) reports that UK retailers have signed up to a voluntary scheme to reduce the overall environmental impact of their carrier bags by 25 per cent by the end of 2008. This includes encouraging customers to reduce the number of carrier bags used by reusing durable bags. It also encourages supermarkets to reduce the impact of each carrier bag by using less material, incorporating more recycled content, and promoting the recycling of all carrier bags. Large supermarkets, such as Asda, Sainsbury's and Tesco, have signed up to this initiative, rather than coming out to support a levy on plastic bags.

The Experience in Ireland.

In Ireland, the plastic bag environmental levy was introduced on 4 March 2002. It has operated a charge on plastic shopping bags that is levied directly on the consumer. The consumer pays the charge on the plastic bag at the retailer's check-out and then the retailer must pass on the full amount of this charge to the government, which uses the revenue for environmental purposes. The initial price of the levy was 15 cents, equating to around 10 pence. In July 2007, the charge was increased to 22 cents, approximately 15 pence.

There have been mixed reports on the success of the levy in Ireland. There was an immediate decrease in the use of plastic bags from 328 bags per person to 21. There
has been an increase in the use of plastic bags since then, however, from 21 to 31 per person in 2006, prompting the recent increase in the levy. The Irish government has also cited on its website a 95 per cent decrease in the amount of litter from plastic bags since the levy was introduced.

The view from producers of the bags

The plastic bag industry has been united in its opposition to a plastic bag levy. It is clear that the number of plastic bags in circulation would be reduced significantly. Even though recently there has been a slight increase in Ireland of bags being used per capita, it is still minimal compared to uses prior to the levy.

Organisations such as the Carrier Bag Consortium (CBC) argue that the plastic bag levy would have a detrimental effect on the environment, rather than a positive one. On its website, CBC quotes research in Ireland that greater volumes of plastic are being used because people use bin liners and rubbish sacks to avoid paying the levy as these types of bags are not covered by its rules. The CBC also refers to the switch towards paper bags, which use more energy in production and release methane when degrading in landfill. Similarly, the CBC points to the typical weight of a cotton bag alternative as 87g compared to the 8g of a plastic bag to a plastic bag. It also emphasises the carbon footprint of shipping cotton bags around the world.

The Packaging in Industrial Films Association (PIFA) argues that bans, levies or restrictions on the use of carrier bags bring no net gain for the environment. On its website, PIFA also states that plastic bags comprise less than 1 per cent of all litter in the UK. The CBC and PIFA have highlighted that the Scottish Parliament rejected a levy on plastic bags in favour of limits on the use of plastic bags.
Purpose of Report

1.1 The purpose of this report is to inform Members of the further development of proposals to amend the parking arrangements for disabled drivers in the Market Square area following discussion at the Committee’s meeting on 7 November 2007.

Executive Summary

2.1 The report summarises the position to date and offers a scheme for implementation.

Proposed Action

3.1 The Committee is invited to RESOLVE implementation of the proposed scheme.

Background

4.1 At its meeting on 5 September 2007, the Committee considered a proposal (called Scheme A) aimed at addressing concerns over the adequacy and safety of arrangements for traffic management and disabled driver parking on Market Square.

4.2 Following consideration of this scheme the Committee asked that an alternative scheme (called Scheme B) be drawn up and that a special meeting of the Committee be arranged to enable the public and other interested parties to be consulted on what was being proposed.

4.3 Two variants of scheme B (called B1 and B2) were prepared and these together with Scheme A were considered at the extraordinary meeting of the Committee on 3 October 2007.

4.4 At that meeting Officers were asked to further develop schemes B1 and B2 and to develop a hybrid of the two (called here B3). Scheme A did not find favour because of its cost and because its implementation would result in the loss of market stalls.

4.5 These further schemes were considered by the Committee at its meeting on 7 November 2007 but again none was preferred and the Committee established a
small working party comprised of Councillors Allebone, Lawman and Timms to work with Officers to develop a further proposal.

4.6 What is before this meeting of the Committee is the proposal generated by that activity (called here Scheme C).

5 Discussion

5.1 The Council wants to arrive at a solution to this issue with maximum agreement of all the local parties concerned, balancing the various needs of:

- market traders
- All Hallows Church
- hackney carriage operators
- disabled drivers
- users of Market Square
- the local business community
- the public
- the Council as owner of the land and operator of the Market

5.2 The scheme needs to meet highways, safety and other requirements and to preserve the high quality of the Market Square/All Hallows setting. It must be capable of being enforced where necessary.

5.3 Officers remain of the view that Scheme A is the scheme that best meets these criteria because it virtually eliminates the risk of injury to pedestrians on Market Square and provides the greatest flexibility to the Council over the operational use of Market Square whilst still providing disabled driver parking provision in the Market Square area. Similarly, Officers are also of the view that Scheme B2 is the best alternative to Scheme A. However, it is recognised that the Committee is not minded to approve either Scheme.

5.4 In brief, the scheme now under consideration is a continuation of the arrangement that currently exists. The entrance to and exit from the parking bays remains via Orient Way and Pebble Lane/Whitehorse Yard respectively but, like all schemes previously considered, is configured to provide 24 hour access to the parking bays. A plan of the scheme is attached as appendix A.

5.5 The scheme provides for 9 disabled driver parking bays and 2 standard parking bays, the latter for use by All Hallows Church.

5.6 This scheme does not reduce the interaction between pedestrians and vehicles to the extent possible with scheme A and the B Schemes, and potentially has the affect of increasing the likelihood of such interaction because the proposal enables vehicles to use the parking area as a means of bypassing the one way system. As with the B schemes it is proposed that the risk of injury to pedestrians will be reduced by clearer delineation of pedestrian routes and retention/improvement of the existing speed control measures. Also, to seek to deter use of the parking area as a bypass route appropriate signage will be
5.7 In addition, the B schemes proposed the use of appropriately designed fencing rather than bollards to delineate the boundary between the main part of Market Square and the parking area so as to prevent pedestrians from crossing the parking area other than by the designated routes. This proposed use of fencing has attracted adverse comment because of its affect on the appearance of Market Square and its cost. In light of this criticism and the weight given to it, Scheme C provides for bollards rather than fencing but to better alert drivers and pedestrians to the likely presence of each other a clearly highlighted buffer zone between the central part of Market Square and the parking area is proposed.

5.8 However, there remains the possibility that the risk assessment that is required as part of the detailed design process might require the reintroduction of some or all of the fencing previously proposed to ensure adequate separation of pedestrians and vehicles.

5.9 This issue of adequate separation of pedestrians and vehicles is important because the Council has a legal duty to avoid foreseeable risks to those involved in future use of the scheme (e.g. users of and visitors to Market Square and its own employees). Compliance with this duty means that the Council must seek to eliminate hazards and reduce risk associated with those hazards which remain. This is why the scheme preferred by Officers (Scheme A) seeks to eliminate interaction between vehicles and pedestrians on Market Square. However, the duty to eliminate risks is subject to the qualification that any such elimination need only be done ‘so far as is reasonably practicable, taking due account of other design considerations’. Accordingly, this means health and safety considerations have to be weighed alongside other considerations, including cost, fitness for purpose, aesthetics, buildability, maintainability and environmental impact. The duty therefore obliges the Council to weigh the various factors and reach reasoned decisions and it was after deliberation of these factors that the Committee gave greater weight to the non-health and safety considerations than had Officers with the result that they wished parking to remain on Market Square and asked Officers to produce further schemes (the B Schemes) that gave effect to this desire. Although these schemes do not result in elimination of the hazard caused by vehicles they do contain measures that seek to reduce further the risks associated with vehicles using Market Square by improving upon the current situation. The question the risk assessment will address in connection with Scheme C is essentially this: having given the matter more detailed consideration do the health and safety considerations now outweigh the other considerations to the extent that separation measures similar to or better than those proposed in the B schemes are now required if the Council is to reduce adequately the risks attaching to the foreseeable use of Market Square by vehicles?

5.10 It is for this reason that the scheme design is also such as to not prevent rapid introduction of an alternative parking arrangement (similar to Scheme B2) in the event that the measures referred to in paragraph 5.6 of the report do not deter use of the parking area as a bypass of the one way system and the level of risk provided.
faced by users of the Market Square area as a result reaches a point that must be addressed. Because of the uncertainty around the extent of this particular hazard it is proposed to monitor the extent to which the parking area is misused so that preventative action can be taken promptly to protect legitimate users of the Market Square area. In the event that preventative action becomes necessary, Members would be informed by a briefing note at the time action is taken.

6 Legal Powers

6.1 Section 111 of The Local Government Act 1972 gives the Council power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

6.2 Section 2 of the Local Government Act 2000 gives the Council the power (subject to certain exceptions which do not apply here) to do anything which they consider is likely to achieve the promotion or improvement of the economic, social or environmental well-being of the Borough.

6.3 The proposed works do not require planning permission but are located in a conservation area so will require sensitive design.

7 Financial and value for money implications

7.1 The works in connection with implementing Scheme C are estimated to cost no more than £20,000

7.2 The capital programme provides a sum of £50,000 for improvements to parking on Market Square as part of the Asset Management rolling programme. The scheme is therefore within budget.

8 Risk analysis and Implications

<table>
<thead>
<tr>
<th>Nature of risk</th>
<th>Consequences if realised</th>
<th>Likelihood of occurrence</th>
<th>Control measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inappropriate scheme implemented</td>
<td>Market operation prejudiced</td>
<td>High</td>
<td>Ensure that the duties on the Council are given proper weight in the process</td>
</tr>
<tr>
<td></td>
<td>Risk of injury to persons and property not minimised and controlled</td>
<td>High</td>
<td></td>
</tr>
<tr>
<td>Cost exceeds budget</td>
<td>Scheme cannot proceed or has to be reduced in scope</td>
<td>High</td>
<td>Ensure that the scheme is modified to fit with budgetary constraints</td>
</tr>
</tbody>
</table>
8.1 **Implications for Resources**
A vibrant market will increase the Council’s income from the Market

8.2 **Implications for Stronger and Safer Communities**
A better arrangement will improve the safety of both the Market Square area and disabled drivers.

8.3 **Implications for Equalities**
Addressing this issue furthers compliance by the Council of its statutory duty to design and evaluate the impact of its services, policies and activities on different groups in society to eliminate discrimination

9 **Author and Contact Officer**
Chris Pittman – Corporate Manager Business Support

10 **Consultees**
Robert Vaughan - Property Manager
Paul Thompson – Sustainable Infrastructure Manager
John Rose - Corporate Health and Safety Officer

11 **Background Papers**
Members’ Briefing Note 16.07.07
Reports to Environment Committee 05.09.07, 03.10.07 and 7.11.07
Report of the Corporate Manager - Environmental Protection

WASTE STRATEGY ADOPTION, KITCHEN WASTE COLLECTIONS AND THE NORTHAMPTONSHIRE WASTE PARTNERSHIP

1 Purpose of Report
1.1 To consider the adoption of the Draft Northamptonshire Joint Municipal Waste Management Strategy, and approve the continued involvement of officers exploring options for the introduction of a Kitchen Waste collection scheme and a revised Memorandum of Understanding between Councils on waste management issues.

1.2 In taking forward the revised Strategy and introducing kitchen waste collections, these will help to deliver the specific Corporate Objectives in

- Community  Increasing the rate and range of recycling
- Environment Improving compliance with local environmental standards
  Increasing the visibility of enforcement

2 Executive Summary

2.1 The Strategy is a revision of one adopted in 2002 and the Draft has been presented to Members on two previous occasions. Results from the public consultation are discussed and include proposed revisions to the draft strategy which is now put forward for adoption by this Council.

2.2 Information is also provided on progress towards the setting up of a collection scheme for kitchen waste and the need to update the existing Memorandum of Understanding between all the councils in Northamptonshire on waste management issues

3 Proposed Action

3.1 The Committee is invited to RECOMMEND that
3.2 The revised draft Northamptonshire Joint Municipal Waste management Strategy be adopted.
3.3 Officers continue to explore options for the introduction of a kitchen waste collection scheme in the Borough.
3.4 That a decision on the revised Memorandum of Understanding be delegated to this Committee
Background

4.1 The Northamptonshire Authorities’ previous Joint Waste Strategy highlighted the need for Northamptonshire to change the way it manages waste, the majority of which was being landfilled. The Draft Strategy has been considered by this committee prior to public consultation and again during the consultation period at the Environment Committee Meeting held on the 7th November 2007. Consultation has now ended and initial feedback was presented at the Members Training evening held on the 17th December 2007.

4.2 Also at the Member Training evening, there was a presentation given by Northamptonshire County Council on the impact that the Landfill Allowance Trading Scheme (LATS) is likely to have in the county and how, by working together, the introduction of a separate weekly collection of kitchen waste might reduce its impact.

Discussion

Waste Strategy

5.1 There have been 1460 responses to the draft strategy which represents approximately 0.5% of households in Northamptonshire. Data input and analysis has been carried out by Eunomia Research & Consulting. The full Public Consultation Report is available on the Councils Intranet, two paper copies have been placed in the Members Room and more copies can be provided to individual members on request. To progress the adoption of the strategy by all councils, the consultants have produced a summary which also proposes amendments to the draft strategy. This report, “Results of Consultation & Proposed Amendments to Draft Strategy” is attached as Appendix 1.

5.2 Of particular interest is the view from those that responded that there was a high level of support for weekly food waste collections.

5.3 It is clear that in adopting the strategy, there will be a need for further additional funding (from the authorities or through external funding opportunities) to deliver effectively the associated action plan. Although not forming a part of the strategy documents, a document has been prepared examining the resource implications of the Strategy Action Plan. A copy of the document “Resource Implications of the Draft Action Plan” is attached as Appendix 2. This document gives an indication of costs that may be incurred through the completion of various projects, as part of the implementation of the Strategy. It does not commit individual authorities to taking action on a particular project, unless and until a Business Case has been prepared and accepted by the Northamptonshire Waste Partnership (NWP) and by the individual constituent authorities.

5.4 Both documents were considered by the NWP at the meeting held on the 17th January 2008 and were accepted. Members endorsed the revised strategy and requested that each Council should consider its adoption as soon as
possible.

**Kitchen waste collections**

5.5 Since the Members Training Evening, which included Members from Kettering and East Northamptonshire Councils, Senior Officers from those Councils that have shown interest in participating in kitchen waste collections have been meeting to try to clarify particular issues. These include the extent of any contract (single contract across collection area boundaries), the collection method and whether to provide “free” kitchen bin liners or not, and how costs for the project should be divided between all the authorities. The Executive Director – Stronger Communities has been representing the council and an update of the current negotiations will be given at the meeting.

**The Northamptonshire Waste Partnership (NWP)**

5.6 Officers engaged in the review of the operation of the NWP have concluded that existing Memorandum of Understanding which was agreed in November 2004 needs to be revised. There are a number of projects currently being developed, including the project for the treatment of residual waste, which needs to be reflected in a revised agreement between the authorities.

5.7 The revisions are still being considered by senior officers but it is hoped that a revised Memorandum of Understanding will be available for consideration by Members at its next meeting on the 19th March 2008. However because of the need for a decision to be taken before the end of March, it is requested that this committee be given delegated authority to make the decision at its next meeting.

6 **Legal Powers**

6.1 There is a statutory requirement to produce a Joint Municipal Waste Management Strategy. The Waste and Emissions Trading (WET) Act 2003 requires authorities in two tier areas to have in place a joint strategy for the management of their municipal waste.

7 **Financial and value for money implications**

7.1 There are no immediate financial implications arising from this report on the Draft Strategy.

7.2 The partnership arrangement (on which the waste strategy is based) between the district councils and the county council offers the most effective means to meet Government recycling and landfill targets, as well as improving the sustainability of waste management, securing ongoing public support and procuring the necessary future services.

7.3 A memorandum of understanding exists between the authorities in Northamptonshire to work together to aim to improve recycling, composting & waste minimisation. The Waste Strategy offers the most efficient way for the
districts and county to work together in order to achieve this aim.

7.4 Failure to meet landfill diversion targets could cost Northamptonshire County Council millions of pounds in fines which would affect all residents in the County; the Waste Strategy therefore means lower costs for waste management than would otherwise follow.

8 Risk analysis and Implications

<table>
<thead>
<tr>
<th>Nature of risk</th>
<th>Consequences if realised</th>
<th>Likelihood of occurrence</th>
<th>Control measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Members not approving the Strategy within current time scale.</td>
<td>Delay in approval of the Strategy could effect the progress of other projects.</td>
<td>Low</td>
<td>Engage with Senior Members and the NWP to ensure the Document is fit for purpose.</td>
</tr>
</tbody>
</table>

8.1 Implications for Resources
None directly from this report.

8.2 Implications for Stronger and Safer Communities
None directly from this report

8.3 Implications for Equalities
None directly from this report

9 Author and Contact Officer
R K Smith; Amenity Services – Service Development and Performance Manager

10 Consultees
T Lear; Corporate Manager - Environmental Protection
R H Entwistle; Executive Director – Stronger Communities

11 Background Papers
Report to the Environment Committee held on the 7th November 2007
Hand-outs provided at the Members Training Evening on the 17th December 2007
1 **Purpose of Report**  
To report on the review carried out of the Refuse and Recycling Collection Service.

2 **Executive Summary**

2.1 Wellingborough’s Waste and Recycling Collection service offers good value for money. At a cost of £40.10 per household in 2006/07 the service is the lowest cost in Northamptonshire.

2.2 The Council has invested heavily in re-casting the service introducing a three bin alternate weekly collection service across the borough. The investment continues as the Council is currently in the process of procuring a brand new fleet of collection vehicles.

2.3 Wellingborough’s recycling performance has improved as a result of these changes but is still only average for Northamptonshire collection authorities. More needs to be achieved if the County Council as disposal authority is to avoid severe financial costs and penalties with the consequent impact upon Council Tax precepts for Wellingborough residents.

2.4 This report sets out the results of a recent management review conducted with the input and contribution from the service’s workforce. The review highlights real and potential difficulties being experienced by the service and its workforce and some of the main barriers preventing truly excellent service performance.

2.5 Proposals are set out for action within the service which will remove these barriers and lead to improved recycling performance, greater flexibility and reliability of operation and, therefore, to increased customer satisfaction.

2.6 The key task is to build upon the investment already made in bins, methods and equipment by winning the hearts and minds of all the residents of Wellingborough securing their motivation and commitment to recycle greater proportions of their waste and minimise the environmental and economic impacts of landfill waste disposal.
1. Proposed Action

The Committee is invited to RESOLVE the follow actions:

3.1 The ‘re-launch’ of the Waste and Recycling service with a targeted campaign to educate and explain to residents what can and should be re-cycled and how to do it.

3.2 The re-launch initially to take the form of a Pilot Scheme introduced into a suitable, defined area of the Borough in order that approaches can be tested, effects monitored and lessons learnt before roll out throughout the borough on an area-by-area basis.

3.3 The initiative will tackle these issues on an area-by-area basis across the borough. Homes will be provided with high quality information followed up, where appropriate by home visits (with all the necessary risk assessments in place) to explain and promote the need for recycling. The campaign will also be co-ordinated to advertise the introduction of the glass-recycling service.

3.4 The campaign will also include the use of Enforcement Action, as a last resort, against residents who refuse to recycle their waste and abuse the black bin system.

3.5 The crews will be empowered to apply the rules that the Council has set in respect of:
   - The number of black bins per household
   - The (non) collection of side waste
   - The (non) collection of bins that are overfilled; overweight or contaminated.

3.6 Reporting procedures will also be reviewed and ICT solutions explored to introduce real-time reporting of issues to the Customer services team.

3.7 Service Managers will work with the Council’s HR Manager and the Council’s Health and Safety Adviser to ensure that the Council has in place clear policies and practices to support and protect the safety of those who are in the forefront of the action to enforce the Council’s rules and regulations.

3.8 The results of these actions will be monitored area-by-area with changes to recycling and residual waste tonnages and levels of contamination used to assess the effectiveness of the campaign. In this way each area will benefit from the lessons of the preceding area(s).

3.9 The opportunity presented by the new MRF facilities at Allibone will be used to re-schedule the waste and recyclable rounds to:
   - End the ‘split-system’ moving to all black bin – all green bin weeks.
   - Introduce more efficient and effective working, particularly in respect of the outlying farms.
   - Remove any potential anomalies from the current rounds.

3.10 The refuse crews will be fully and actively involved in this round re-scheduling process.

3.11 A review of the bulky waste collection scheme be carried out following consultation with local furniture re-use organisations with a view to increasing the material available for re-use and reducing the time taken to collect material.
4. Background

4.1 Waste and recyclable materials are collected from the borough’s 31,700 domestic properties in Wellingborough on an ‘alternate weekly collection’ using a three bin system. Residents are asked to sort their waste with dry recyclable materials being placed for collection in a green bin; compostable garden waste in a brown bin; and residual waste (i.e. that which is not deemed to be recyclable at present) in a black bin for disposal at landfill.

4.2 Domestic properties have their residual waste in black bins collected on alternate weeks to their green and brown bin collections.

4.3 The disposal of residual waste is the responsibility of the County Council and they direct Collection Authorities as to how and where that waste is disposed. Wellingborough’s residual domestic waste is tipped into landfill at Sidegate Lane, within the borough boundaries between Wellingborough and Finedon.

4.4 Collected dry recyclables are taken to Alibone Recycling Limited at Moulton for sorting and processing under a 3 year contract (extendable to 5 years) with the Council which commenced in April 2006. Garden waste is also taken to Sidegate Lane and tipped at an open air composting facility adjacent to the Landfill Site.

4.5 The service is delivered by eight crews each comprising a driver and two loaders using an 11 tonne capacity refuse collection and compaction freighter. Broadly speaking, the same crews collect residual (black bin) waste and dry recyclables (green bin) on alternate weeks. The crews collecting garden waste (Brown Bins) remain dedicated to that service. The position is set out in more detail in section 5 below.

4.6 The crews work Tuesday to Friday working 74 hours per fortnight under an arrangement introduced in May 2005. One of the main reasons that Wellingborough, in common with a number of other authorities, have moved to a four day collection is to avoid problems caused by the suspension of the service on Bank Holiday Mondays. The down-side of this approach is that the week’s work has to be compressed into four days making the average working day longer and harder for the collection crews. This can be particularly difficult in periods or seasons when high quantities of waste are being presented for collection such as garden waste in the Spring and early Autumn. The compressed week also presents greater challenges for managers in having less time and flexibility for dealing with problems such as breakdowns.

5. Discussion

5.1 Wellingborough’s refuse and recycling collection service costs £40.10 per household and is the lowest cost service of all of the Districts in Northamptonshire. A detailed comparison of the cost and performance of the Northamptonshire authorities is shown in Appendix A.

5.2 Productivity is good with an average of 1600 lifts per crew per day.

5.3 The service generally works well with good indications of reliability and 73%
customer satisfaction. However, there are a number of issues that cause operational problems and prevent greater effectiveness.

5.4 Overall recycling levels are low relative to some other Northamptonshire collection authorities. With 17.94% of the borough’s waste recycled in 2006/07 Wellingborough is placed 5th out of the seven Northamptonshire authorities. The position in respect of composting is not better with Wellingborough being ranked 4th out of seven with only 12.46% of waste going for composting. This is less than half that of the top performing authority (Daventry).

5.5 It should be noted that these figures relate to the year 2006/07 which witnessed the completion of the three-bin system roll out. The full benefits of the system will not be realised until the end of the current year in March. The latest figures indicate a combined recycling and composting rate of approximately 35% should be achieved.

5.6 With the environmental and economic costs of landfill, the Council is under pressure from both Government and Northamptonshire County Council to improve its recycling performance. As part of the procurement strategy for long term waste disposal, the County are seeking to obtain a commitment from every collection authorities to achieve 50% of the county’s waste being recycled by 2019-20. In the shorter term, the County Council as Disposal Authority faces penalties under the Landfill Allowance Trading Scheme unless it can divert a significant proportion of its Bio-Degradable Municipal Waste from landfill. With Food Waste comprising an estimated 20% of residual waste, there is pressure on all districts to introduce a Food Waste Collection service. This issue is addressed elsewhere on this agenda.

5.7 Over the last few years Wellingborough has invested much in introducing a new way of working to promote increased recycling and to reduce the amount of waste going to Landfill. Much effort has been expended in rolling out the three bin alternate weekly collection and the associated revised methods of working. With those changes in place the key focus for 2008 must be to make the system work and maximise the benefits in terms of recycling performance.

5.8 In late November of last year a workshop was held involving the manager and staff of the Waste Collection service. The challenge set for the team was: ‘To deliver an excellent cost-effective waste and recycling collection service for the people of Wellingborough’. The team identified the following real and potential barriers which can or might inhibit the achievement of that goal. They are:
- The problems caused by the split collection where, each week, some parts of the borough have black bin collections and other parts have green bin collections (this is discussed in detail in paragraphs 5.7 to 5.9 below.)
- The high levels of contamination (of green and brown bins) in some parts of Wellingborough.
- Households having more than one black bin.
- The difficulty in enforcing ‘rules’ on ‘missed’ bins, side waste, overloading, etc.
- The need to develop a better way of collecting from outlying farms.
- Improvements needed to local collection arrangements including communal
• Improved access and turnaround at the tip.

Whilst the last two are examples of operational practices that can, and are being addressed, the remainder concerns policies, practices and applications that require consideration by this Committee. Dealing with each of the key issues in turn:

**The Split Collection Arrangement**

5.9 Two of the benefits of operating an Alternate Weekly Collection (AWC) service are clarity and focus: Clarity for the customers and service deliverers in knowing that it is a ‘black bin week’ or a ‘green bin week’. Focus in being able to dedicate all of the resources of the service to ensure that the rounds are completed daily and weekly.

5.10 However, planning restrictions at Alibone’s sorting facility at Moulton limit the number of vehicle movements. At the time the rounds were last re-routed, Wellingborough took the decision not to concentrate the collection of the Borough’s dry recyclables into one week per fortnight in order to ensure compliance with this planning restriction. It has to be spread over the entire two week period. So, at any one time every week, crews are collecting residual black bin waste from some parts of the town and dry recyclables from green bins from other parts of the town. This inhibits flexibility in that crews collecting one sort of waste cannot be diverted to support a crew that has suffered a breakdown or delay collecting another sort of waste.

5.11 The ‘split collection’ also causes potential confusion among residents and hampers those in the Council’s customer services team who respond to queries and complaints from those residents.

5.12 Recent discussions with representatives of Alibone and their new parent company Reconomy who also own Oakley Waste Management Ltd at Corby provide a potential solution to this problem. Alibone have planning permission for a new Materials Reclamation Facility (MRF) adjacent to the A45 at Earls Barton. This facility is about to be constructed and it is anticipated that it will be operational in the late autumn of 2008. This facility will not be constrained by the planning restrictions on the current Moulton site. Furthermore, it is reported that the facility will also enable the tipping of recyclable waste for bulk transfer (by Alibone) to a new ‘state-of-the-art’ Oakley MRF to be constructed at Corby. This latter facility will also be able to sort a wider range of dry recyclables including glass.

5.13 When these facilities come on line in late autumn of 2008, the Council should be able to:

• Reschedule its collection rounds to ensure that all residual waste in black bins is collected across the whole of Wellingborough one week with dry recyclables being collected from green bins during the following week. This will provide greater clarity for residents and improved operational capacity for
• Expand the dry recyclables collection to include glass for recycling without incurring the cost of additional bins, collection vehicles or crews.

Contamination Issues and the Achievement of Improved Recycling Performance

5.14 The crews, their Service Manager and Alibone recycling report serious levels of contamination of the dry recyclables ‘product’. Collectors claim to lift the lids and inspect the contents of bins but often contaminants are buried, inadvertently or otherwise, lower down the bin under genuine recyclable materials. Whilst it is impossible for crews to see the waste once it has been tipped into the hopper of the refuse freighters, the presence of contaminants such as glass or builder’s rubble can often be heard. Crews report that there are particular parts of the borough where contamination problems are regularly experienced. If the crews do suspect high levels of contamination in any particular load they have instructions to ‘phone in a report the problem. The Service Manager will then decide whether or not to divert that load to landfill potentially losing many tonnes of recyclable material in the process.

5.15 Alibone Recycling Limited report quite serious levels of contamination and are currently in the process of triggering financial penalty clauses within the contract for the Council to meet some of the costs of dealing with the problems. They claim that the major problem arises from textiles which are put into the green bins for recycling. Whilst the recycling of textiles was allowed and encouraged at the time green bins were introduced, Alibone Recycling claim that, unless the clothes are clean and unstained (something that is impossible after they have gone through both the green bin and the refuse freighter) there is absolutely no market for the material. This would be even more of the case if glass were collected in the co-mingled material.

5.16 Alibone claim that there are also other significant contaminants such as plastic and plastic bags (only plastic bottles should go in the green bin) that make up a considerable proportion of the recycling product delivered to them. Indeed, they claim that Wellingborough’s recycling is some of the dirtiest they have ever experienced.

5.17 Contamination significantly affects the Council’s performance in meeting its recycling targets and costs the Council and its residents money through increased waste disposal costs and potential penalty payments to our recycling contractor.

5.18 Recycling collection crews claim with some justification that residents often appear confused and uncertain as to which materials are recyclable and which go into which bin. Some of the brown bins (approx 6,000 households in the first phase) have instructions on their lids saying that cardboard should be put in with garden waste. However because of problems in processing the amount of cardboard generated with the garden waste collections this had to change. Households were informed of the change and since this time all leaflets and publications (including those on the Council’s web-site) correctly say that
cardboard should go into the dry recyclables green bin.

5.19 Inevitably there is a ‘spectrum’ of attitudes ranging from those in the community who ‘don’t know’ to those at the opposite end who ‘don’t care’. The council needs to develop a strategy to deal not only with those extremes but also to all of those in between.

5.20 There is clearly a need for better information and education for all residents ensuring everyone knows what can and should be recycled and the method for so doing.

Households having more than one black bin

5.21 A number of households have more than one black bin for residual waste. Work recently completed estimates that around 1000 households have more than one black bin. Collection crews believe this to be a significant under-estimate. The Council’s ‘rules’ state that households of 5 persons or less are allowed one black bin for residual waste. Families in excess of this number are eligible for a second bin but are encouraged to have a recycling bin rather than a black bin.

5.22 However, it is possible for people to obtain a second bin a number of ways:
- They might have moved into a house where, previously, the family were eligible for two bins.
- They might have claimed a replacement bin for one that had gone missing or was stolen. They original may then have been returned.
- They might have claimed a replacement bin for one they claimed had been stolen.

5.23 Lost or stolen bins are replaced by the Council free of charge no matter how many times they are replaced. Many other Councils either charge for each replacement or only provide a free replacement in respect of the first loss.

5.24 Collection crews do not automatically know whether a property should have one or more bins although it is clear from the size of some houses that it would be impossible to accommodate a family of such size as to warrant a second bin. They might report their suspicions but any action they take to collect only the waste from one bin is likely to result in a complaint of a ‘missed bin’ and the need for them to return later to collect the waste from the second bin (see the section on missed bins below).

5.25 It is proposed to tackle this issue as part of the comprehensive pilot scheme described in Section 6 below.

The difficulty in enforcing ‘rules’ on ‘missed bins, side waste, overloading, etc.

5.26 The definition of what constitutes a missed bin is somewhat contentious. Residents telephoning the Council’s customer call centre to report a missed bin are taken through number of questions to ascertain whether the correct bin was presented; whether it had been presented at the correct time on the correct day; whether it contained the right materials free from contamination; whether it as
overloaded, etc. If the customer is adamant that all of these things were done correctly, they are assumed to be right and the service is assumed to be at fault. Obviously, most customers who telephone claim that they have done everything ‘by the book’.

5.27 The service contends that there are many fewer missed collections than are actually recorded. It is not in the collection crews’ interest to miss a bin as they are almost always required to return to collect the missed bins involving them in extra time and travelling.

5.28 A similar situation exists with side waste. The Council’s website clearly states that ‘Side waste’ will not be collected nor will any bin that does not have a closed level lid. In reality, waste left in this way is often placed in the previously emptied bin and generates a claim of a ‘missed collection’ again resulting in the crews being required to return to collect the alleged missed bin. The crews therefore feel that it is easier to take the waste anyway.

5.29 If side waste is left for any period of time, bags run the risk of being split open by dogs, cats, foxes or rats with the litter strewn across streets and gardens. This litter then has to be collected by Street Cleansing crews at far greater effort and cost than if it had been picked up by the refuse crews in the first place.

5.30 Whilst it might be cheaper to take the side waste (and more likely to satisfy the customer) increased volumes of residual waste militate against the Council’s policies for waste minimisation and compliance with landfill directives.

5.31 There clearly needs to be a better way of enforcing the Council’s policies on side waste without leaving the bags vulnerable to attacks by animals. As part of the pilot scheme it is proposed to introduce clear guidelines for crews to place presented side waste in the emptied bin – and to record the fact premise by premise.

**A better way of collecting from outlying farms.**

5.32 Crews highlighted the inefficiencies of a large vehicle crewed with a driver and two collectors having to travel significant distances to outlying farms, often to find that there is little waste to collect. They and the Transport & Waste Managers agree that a better approach would be to use a smaller dedicated vehicle crewed by a driver alone or perhaps a driver and one collector for these outlying properties. The vehicle would also be used to collect missed bins. The Transport & Waste Manager has organised trials of a number of small refuse freighters. Unfortunately none have performed particularly satisfactorily. It is therefore proposed to purchase one of the current fleet as a second-hand vehicle when the fleet has been replaced under a new contract scheduled to start in June 2008. A separate Business Case will need to be developed in respect of this proposal at that time.

5.33 The availability of this vehicle coupled with the proposal to re-schedule the rounds in the autumn when the service can move to ‘all black bin – all green bin weeks’ (see paragraph 5.13 above) will enable more efficient operation
particularly in respect of the remote farms.

**Improvements needed to local collection arrangements.**

5.34 There are a number of minor re-routing issues in some of the rounds that need to be addressed. Again, these will be picked up as part of the re-scheduling exercise later in the year.

**Improved access and turnaround at the tip.**

5.35 Problems with queuing and delays at the tip will be taken up by the Service Manager as and when they occur. If they cannot be resolved at local level then representatives of the Disposal Authority will be involved.

**The Bulk Collection Service**

5.36 The Council provides a Bulky Waste Collection service using a “caged” vehicle, which is also used to distribute waste collection bins requested by householders. Because of the need to allocate time for the distribution of bins, there is a restriction of 25 visits per day (Tuesday to Friday). The “white goods” and other electrical items are delivered to the Household Waste Recycling Centre; the remainder is disposed of via the transfer station in Northampton. A charge is made for the collection of up to 3 items (currently £ 17.60) however the Council’s standard concessions policy applies.

5.37 Last year Members requested that more information on how long households have to wait from booking a collection to having the item(s) removed. This information is now included with other performance information in the minutes prepared for Council. The initial target suggested by officers was to achieve a 21 day average time and to date this is being achieved (April to December 2007 – 12.6 days). However this does not show the full picture, as even though the average time appears to be satisfactory, during the same period, approximately 25% of collections were done outside the target of 21 Days (836 out of 3293). The latest analysis is shown in Appendix B.

5.38 In the Draft Northamptonshire Waste Management Strategy there was a statement about how Third Sector organisations could help Councils particularly in re-using unwanted items. Following the public consultation, there is a proposal that Councils should work more with the voluntary sector (particularly furniture recycling organisations) to promote re-use and reduce waste to landfill.

5.39 It is proposed that the Bulky Collection service is looked at in more detail following adoption of the Strategy. A report will be presented to a future meeting of this Committee.

**6. Conclusions and Proposals**

6.1 Wellingborough’s waste and recyclables collection service offers good value for money. It is the lowest cost service in Northamptonshire; has good productivity and is on target to meet the Council’s recycling targets in the current year.
6.2 However, the Council needs to improve its recycling performance still further to move into and through the 40% recycling levels of achievement. The Council has invested to provide the physical infra-structure required: The new three bin alternate weekly collection is embedded across the borough.

6.3 Wellingborough now has the arguably more difficult task of winning over the hearts and minds of all of the borough’s residents so that ‘reduction, re-use and recycling’ becomes second-nature for our residents.

6.4 It is proposed to re-launch the service with a targeted campaign to educate and explain to residents what can and should be re-cycled and how to do it. The campaign will need to address both the environmental and economic costs of failing to recycle.

6.5 Such a service re-launch must be focused to ensure that scarce resources and efforts are not dissipated and wasted. It is therefore proposed to tackle these issues area-by-area throughout the borough. Homes would be provided with high quality information followed up, where appropriate by home visits to explain and promote the need for recycling.

6.6 The campaign will also need to include a ‘hard edge’ – backed up by enforcement action against residents who refuse to recycle their waste and abuse the black-bin system.

6.7 It is proposed to introduce these changes initially in a pilot area of the borough. This will enable resources and publicity to be tightly targeted and for the measures and effects to be closely monitored. There will need to be close co-operation and co-ordination with the Council’s Customer Services team. The lessons learned from the pilot scheme can then be applied successfully throughout the following phases. The involvement of local Ward Members is seen as essential, possibly using Ward Surgeries as one useful measure of communicating with residents.

6.8 By tackling the problem area by area it will be possible to monitor the effects. Tonnages of materials collected daily for each round are collected and monitored. Alibone have confirmed that they would be prepared to monitor levels of contamination for specific rounds. It will therefore be possible to measure and assess quite accurately the changes that are achieved in a particular area as a result of this activity.

6.9 The refuse crews are the Council’s greatest resource. They visit each and every home every week. They know which areas respond best to recycling initiatives and which provide the poorest returns. They are the services’ eyes and ears on the street. They can educate and encourage.

6.10 Most importantly, the crews will need to be empowered to apply the rules that the Council has set in respect of:
- The number of black bins per household
- The (non) collection of side waste
• The (non) collection of bins that are overfilled; overweight or contaminated.

6.11 Experience elsewhere has shown that there are consequences when Councils take a tough line on enforcing the rules. The risk of verbal and physical attacks on crews and of greater abuse to customer call centre staff is significantly increased. The Council will need to put in place clear policies and practices to support and protect the safety of those who are in the forefront of the action to enforce the Council’s rules and regulations.

6.12 Experience in other boroughs has demonstrated that the only effective way of resolving the claims and counter-claims about missed bins is for the crews to report non-presented bins, overflowing bins, overweight bins or side waste to the call centre so that they already have the crew’s report when the customer calls to report the problem. This will be backed-up by the re-invigoration of the system whereby collectors put warning labels on such bins. (The system is currently discredited among the collection crews because they feel the warnings are ignored and they are sent back to collect the bins anyway).

6.13 It is proposed to investigate and explore ICT solutions similar to those used by parcel delivery companies enabling the crews to undertake real-time reporting of the non presentation, overloading of bins or non collection of side waste to the Call Centre so that the Call Centre staff have the full facts before the customer calls.

6.14 The Job Descriptions of Refuse Collection Drivers and Collectors should be reviewed and the jobs ‘enriched’ to include responsibilities for promoting and encouraging recycling as part of their normal daily duties. This may in part address some of the potential recruitment and retention problems as some staff lose their personal salary protection arrangements in June 2008.

6.15 It is proposed to use the opportunity presented by the new MRF facilities at Allibone to re-schedule the waste and recyclable rounds to:

• End the ‘split-system’ moving to all black bin – all green bin weeks.
• Introduce more efficient and effective working, particularly in respect of the outlying farms.
• Remove any potential anomalies from the current rounds

The refuse crews will be fully and actively involved in this round re-scheduling process.

6.16 It is proposed that a review of the bulky waste collection scheme be carried out following consultation with local furniture re-use organisations with a view to increasing the material available for re-use and reducing the time taken to collect material.

6.17 It is proposed to create a multi-disciplined Project Team from within the Environmental Protection Cluster with input from specialist in HR, Finance, Customer Services Health and Safety, and Press and Public Relations to work up these proposals into a detailed, costed project plan – and then deliver it.
7. **Legal Powers**

The Council has a statutory duty to collect household waste.

8. **Financial Implications**

Broadly the changes and proposals set out in this report should be contained with the existing budgets and service costs. Where specific proposals (such as perhaps a more intensive publicity campaign or higher levels of enforcement) will require additional funding they will be presented to a future meeting when they have been fully worked up as a business case.

9. **Risk analysis and Implications**

<table>
<thead>
<tr>
<th>Nature of risk</th>
<th>Consequences if realised</th>
<th>Likelihood of occurrence</th>
<th>Control measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Council fails to achieve the necessary recycling performance</td>
<td>The disposal authority incurs significant penalty costs which will be passed onto the Council tax payers through the 'County precept.</td>
<td>Medium</td>
<td>Significantly improve recycling performance as set out above</td>
</tr>
<tr>
<td>Materials presented for recycling and composting contain significant levels of contamination.</td>
<td>Financial penalties to the Council. System of recycling becomes discredited</td>
<td>Medium to high</td>
<td>Introduce comprehensive education and enforcement programme area-by-area through the borough monitoring progress and effectiveness at each stage.</td>
</tr>
<tr>
<td>Refuse collectors have increased risk of intimidation and / or physical violence when enforcing the Council’s rules.</td>
<td>Harm to Council employees. Loss of morale, etc</td>
<td>Medium</td>
<td>Effective policies and practices to tackle those who seek to intimidate / harm.</td>
</tr>
</tbody>
</table>

10. **Author and Contact Officer**

Tony Lear / Chris Barnard / Keith Smith
11. **Consultees**  
Bob Entwistle, Executive Director, Stronger Communities

12. **Background Papers**
Purpose of Report
1.1 To inform the Committee of the proposed timetable to be introduced by East Midlands trains in December 2008, and to enable the Members to consider the response already made and any further responses.

Executive Summary
East Midlands Trains have prepared a consultation document relating to the timetable that they intend in December 2008. While the proposed services between Wellingborough and St Pancras stay essentially the same, services to the north of Kettering are reduced to hourly to Nottingham only, rather than the current half-hourly service alternating to Derby and Nottingham.

Proposed Action
The Committee is invited to:
3.1 approve the response made to Stagecoach in October 2007.
3.2 recommend that further representations are made to Stagecoach to reinstate the existing half hourly service from Wellingborough to Leicester including an hourly link to Derby
3.3 consider a meeting direct with Stagecoach and possibly combined with neighbouring Councils.

Background
4.1 In November 2007 Stagecoach took over running the rail franchise between St Pancras and the East Midlands from National Express.

4.2 Stagecoach markets the rail services under the name East Midlands Trains.

4.3 For the first year of the new operator rail services provided are essentially a continuation of that service run by the former Midland Main Line.


4.5 Wellingborough Borough Council was not one of the initial consultees, but officers were made aware of the consultation in late October. The date for initial comments, 19th October, had passed but more detailed comments were required by Monday October 29th.

4.6 Officers studied the proposed timetable comparing it with the current timetable and submitted the response attached as Appendix B.
Discussion

5.1 Attached as Appendix A is a summary of the proposed pattern of services for the Midland Main Line between St Pancras and Leicester, Derby, Nottingham and Sheffield, including the alternatives being considered for the operation of trains to Corby if necessary, issued by Stagecoach as part of the consultation document.

5.2 It will be noted that in essence, weekday services between St Pancras and Wellingborough will stay much as they are now, with the exception of the variations noted in Appendices B and C.

5.3 Weekend services to/from St Pancras will stay generally similar to the existing services except for the reintroduction of late night services to Wellingborough at 23.15 and 00.15 on Saturday nights.

5.4 In the northbound direction, Wellingborough will retain the existing hourly service to Leicester and Nottingham, but the hourly service to Leicester and Derby has been cut back to terminate at Kettering. In essence Wellingborough (and Kettering) will have services to the North of Kettering cut back from twice an hour to hourly.

5.5 With the exception of the odd train in the peak hour, both Wellingborough and Kettering will lose their direct link to Derby, which currently acts as an important interchange point for Cross country services to the NE and SW of England. Under the new proposals intending passengers wishing to travel to points north of Sheffield will need to change twice at Leicester and again at Derby or Sheffield.

5.6 Appendix C details the trains currently passing through Wellingborough on an hourly basis and those proposed in December 2008. It will be noted that while an extra train is proposed in 2008 it will run through Wellingborough non stop.

5.7 It is recommended that the Members should consider making further representations to Stagecoach for the reinstatement of the half hourly service north from Wellingborough to Leicester and alternately serving Derby and Nottingham and that the extra fifth train per hour should be the proposed St Pancras – Kettering train providing a third service per hour from Wellingborough to St Pancras.

5.8 Stagecoach has indicated a willingness to come to talk to the Councillors concerning the proposals and have suggested a joint meeting with other affected adjacent Councils.

Legal Powers

6.1 Section 111 of The Local Government Act 1972 gives the Council power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

6.2 Section 2 of the Local Government Act 2000 gives the Council the power (subject
to certain exceptions which do not apply here) to do anything which they consider is likely to achieve the promotion or improvement of the economic, social or environmental well-being of the Borough.

7 Financial and value for money implications

7.1 There are no financial implications to the council as a result of this report.

8 Risk analysis and Implications

<table>
<thead>
<tr>
<th>Nature of risk</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Reduced public transport provision to the North of Wellingborough</td>
<td>Increased road usage</td>
<td>Medium</td>
<td>Reinstate existing half hourly service to Leicester</td>
</tr>
</tbody>
</table>

8.1 Implications for Resources
There are no implications arising from this report.

8.2 Implications for Stronger and Safer Communities
Reinstatement of the half hourly rail services to Leicester and direct rail services to Derby will provide better and safer travel opportunities from Wellingborough to Leicester, the East Midlands and North of England

8.3 Implications for Equalities
Reinstatement of the half hourly rail services to Leicester and the North will provide better travel opportunities for all and in particular those who do not have access to cars.

9 Author and Contact Officer
Paul Thompson – Sustainable Infrastructure Manager

10 Consultees

11 Background Papers
Consultation document issued by Stagecoach – October 2007

PDT/HY/9/7A 7.01.08
APPENDIX A

Extract from East Midlands Trains consultation document

EAST MIDLANDS TRAINS

DECEMBER 2008 TIMETABLE CONSULTATION DOCUMENT

ROUTE I LONDON ST.PANCAS- DERBY and SHEFFIELD
ROUTE M LONDON ST.PANCAS- NOTTINGHAM
ROUTE N LONDON ST.PANCAS-KETTERING

East Midlands Trains proposes to serve the Midland main line with five trains per hour in the core timetable operating for most of the day Mondays to Saturdays. This represents a significant increase in quantum of services compared to the current timetable with four trains each way per hour for most of the day, increasing to five trains per hour in the peaks only. The increase in quantum also enables us to move away from the original DfT’s SIC2 timetable concept as presented to bidders of four trains per hour but with trains dividing and joining at Leicester each hour to maintain the required number of services to Nottingham, Derby and Sheffield.

The standard pattern timetable provides:

- An hourly fast London-Sheffield service calling at Leicester, Derby and Chesterfield only, with journey times 2hr 08min northbound and 2hr 10min southbound, up to 11 minutes faster than the current timetable;
- An hourly fast Derby service calling at Leicester, Loughborough, East Midlands Parkway and Long Eaton. These trains are planned to run 30 minutes apart in both directions between London and Leicester and provide a genuine level of two trains per hour between London and Derby;
- An hourly fast London-Nottingham service calling at Market Harborough, Leicester and East Midlands Parkway only, with journey times of 1hr 44min northbound and 1hr 45min southbound;
- An hourly stopping London-Nottingham service calling at Luton Airport Parkway, Bedford, Wellingborough, Kettering, Market Harborough, Leicester, Loughborough, East Midlands Parkway and Basford;
- An hourly stopping London-Kettering service calling at Luton, Bedford and Wellingborough. These trains are planned to run 30 minutes apart from the stopping Nottingham service to provide a regular interval pattern at Bedford, Wellingborough and Kettering.

The standard pattern of services applies on Mondays to Saturdays, broadly 0725-2030 from London St. Pancras and southbound, 0527-1927 from Sheffield, 0517-2001 from Derby, 0804-2004 from Nottingham and 0825-2000 from Leicester/Kettering. Monday to Friday peak variations will cater for demand, and the timetable aims to provide a better choice of arrivals in London throughout the whole morning peak.

Trains continue to serve Luton Parkway, Allerton, Doncaster, Wakefield Westgate and Leeds, but East Midlands Trains services will no longer call at Willington, Burton-on-Trent, Meadowhall or Barnsley. We will continue the weekend trains to York (all year) and Scarborough (summer only).

On Sundays there is also an increase in quantum of services with, broadly, a Sheffield and a Nottingham train each hour for most of the day, with the quantum increasing to four trains each hour each way with additional Derby and Nottingham services to cater for the late afternoon and evening Sunday peak travel period.

An option of swapping the East Midlands Parkway stop away from the fast Nottingham service and into the stopping Nottingham train is being considered.

In connection with preparations to serve Carby, removal of the Luton stop from the Kettering service is being considered with a Luton stop being added in the fast Derby train.
To provide opportunities for even earlier arrivals in London and to connect with early morning Eurostar services, a new Mondays to Saturdays 0440 Leicester-London St. Pancras train is proposed arriving 0624. In order to respond to demand from London on Saturdays, trains up to 2315 are proposed, over one hour later than in the current timetable, and on Mondays to Fridays we propose to run a later train departing at 0015 (Tuesday to Sunday mornings) from London St. Pancras to Leicester. It should be noted that these earlier and later trains conflict with Network Rail’s current line closure strategy for maintenance are subject to agreement with NR.

Regarding the service to Corby, a priced option to provide a train service to Corby has been made to the DfT by East Midlands Trains. No decision has yet been made on the type of service and construction of a station at Corby is yet to commence, consequently no train proposals are included in this consultation. The existing bus link will continue in similar form to the current bus service, mostly connecting in and out of the stopping Nottingham-London and Kettering-London trains and with similar hours of operation.

Pending a decision on a train service to Corby, work remains in progress on the options available. Work remains in progress on provision of an hourly Mondays to Saturdays London-Corby through service which would, broadly, be provided by extending the London St. Pancras-Kettering trains, as shown in the attached timetables, to and from Corby. However, on Sundays, a shuttle service between Kettering and Corby would remain in place.

Extension of the Mondays to Saturdays trains as shown does not, however, provide an operationally robust turn round time at Corby with the SLC2 stopping patterns shown. To achieve robust turn round times at Corby would require the trains to be speeded up by removing the Luton stop in both directions and also implementing some line speed improvements which are currently under investigation with Network Rail, though such infrastructure improvements are not currently funded. The loss of the Luton stop in the London St. Pancras-Kettering (Corby) trains could be compensated for by stopping the x250 London St. Pancras-Derby/x19 Derby-St.Pancras trains at Luton. This change would slow down journey times on the fast Derby services but would open up additional direct travel opportunities from Luton to the East Midlands.

The alternative option would be a Kettering-Corby shuttle train service departing Kettering at approximately five minutes past the hour providing approximately 5 minute connections from the x200 London St. Pancras-Kettering. Shuttle trains would depart Corby at approximately 40 minutes past the hour to connect into the x204 Nottingham-St.Pancras train at Kettering. Northbound connections towards Leicester and Nottingham would be approximately 35 minutes. The shuttle service would run hourly between approximately 0600 and 2300 Mondays to Saturdays with some extra journeys at peak times. On Sundays trains would run hourly between approximately 0900 and 2300.

(October 2007)
Text of response made to East Midlands Trains (Stagecoach) – 25.10.07

Dear Sir,

Proposed East Midlands Mainline Services – December 2008 onwards

I am in receipt of the consultation document in respect of the proposed timetable from December 2008.

I have studied the timetable and in particular the Monday – Friday services which serve Wellingborough and compared them with the current service provision. While at first glance there appears to be a reasonable service, closer examination reveals that aspects of the proposed service give cause for great concern and I list the Council’s concerns as follows:

1. **Wellingborough/Kettering to the North**

   While Wellingborough (and Kettering) maintain a half hourly service to London, in effect the service to the north of Kettering becomes hourly and with no direct trains between Derby and Wellingborough during the off-peak working day.

   In the northbound direction there are no 'Derby' trains between 07.01 and 17.48 and there is only one southbound direct train from Derby arriving at Wellingborough at 08.39.

   Both Derby and Sheffield provide interchange with the longer distance Cross Country NE/SW trains and for passengers from Kettering/Wellingborough to access these services will generally entail a change at both Leicester and Derby/Sheffield. Unacceptable if with luggage and/or children particularly with pushchairs or elderly and with only an hourly northbound service this could lead to long connection times.

2. **Wellingborough to St Pancras**

   It is noted that, with the exception of northbound evening services between 18.00 and 21.00, the frequency of trains is generally unchanged. The number of services between 18.00 and 21.00 serving Wellingborough is reduced by four trains compared to the current timetable and in the morning peak there is one less northbound service.

   It is pleasing, however, to note that in the morning peak the number of southbound trains between Wellingborough and St Pancras will be increased by three trains.

With Wellingborough, Kettering and Corby set to expand by a large amount over the forthcoming years it is disappointing to note that the proposed services, rather than expanding to cater for this growth, will give a worse service, particularly to the North,
than is currently experienced.

It is, therefore, strongly urged that consideration is given to restoring the current services to the north of Kettering and Wellingborough and providing both towns with a half hourly service to Leicester and hourly direct connections to both Derby and Nottingham as at present.

To the south of Wellingborough the Council would wish to see the number of evening peak northbound services calling at Wellingborough restored to the number currently experienced and failing that, would wish to seek an assurance that the northbound trains serving Wellingborough during the evening period are strengthened to match or exceed the current seating capacity.
Comparison between proposed December 2008 timetable and existing timetable

Generally the basic service pattern from St Pancras Monday to Saturday is as detailed below:

The current four trains per hour from St Pancras are as follows:
- 00:00 Hourly to Derby – all stations inc. W’borough
- 00:25 Hourly to Sheffield – first stop Leicester, then Derby
- 00:30 Hourly to Nottingham – all stations inc. W’Borough
- 00:55 Hourly to Nottingham – first stop Leicester

The proposed five trains per hour from St Pancras from December 2008 being:
- 00:00 Hourly to Kettering – all stations inc. W’borough
- 00:15 Hourly to Nottingham – first stop Mkt Harborough then Leicester
- 00:25 Hourly to Derby – first stop Leicester
- 00:30 Hourly to Nottingham – generally all stations inc. W’borough.
- 00:55 Hourly to Sheffield – first stop Leicester, then Derby

Southbound services have a similar stopping pattern and frequency.

In both the current and proposed timetables it is only those trains leaving St Pancras at 00:00 and 00:30 which call at Wellingborough.

On weekdays, Monday to Friday, there are more trains southbound in the morning peak hours and more trains northbound in the evening peak hours both currently and in the proposed timetable compared with the base hourly service pattern. However it will be noted from the table that while the proposed timetable gives 3 more departures from Wellingborough to St Pancras in the morning peak than currently, in the evening peak, trains serving Wellingborough from St Pancras are reduced by 4.

<table>
<thead>
<tr>
<th></th>
<th>Current Services</th>
<th>Proposed Services</th>
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<tbody>
<tr>
<td>Departures to London from Wellingborough</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Between 6.00am and 7.00am</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Between 7.00am and 8.00am</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Between 8.00am and 9.00am</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Total</td>
<td>8</td>
<td>11</td>
</tr>
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</table>

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<tr>
<th></th>
<th>Current Services</th>
<th>Proposed Services</th>
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</thead>
<tbody>
<tr>
<td>Arrivals at Wellingborough from London</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Between 6.00pm and 7.00pm</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>Between 7.00pm and 8.00pm</td>
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<td>3</td>
</tr>
<tr>
<td>Between 8.00pm and 9.00pm</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>12</td>
<td>8</td>
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</tbody>
</table>

On Sundays there is roughly a half hour service between St Pancras and Leicester calling at all stations with trains alternating to Nottingham and Derby/Sheffield with little variation between the current and proposed timetables.
BOROUGH COUNCIL OF WELLINGBOROUGH  
AGENDA ITEM 10

Environment Committee  
30th January 2008

Report of the Corporate Manager for Sustainable Development

Land at Lea Way, Wellingborough

1.1 Purpose of Report

1.2 The purpose of this report is to provide Members with an update on Leicester Housing Association’s negotiations for redevelopment of the site shown at appendix 1 and recommend options for regeneration.

1.3 To assist the Council in delivering decent homes and sustainable communities and align with the following Corporate Objectives;

- Enhance performance through partnership working
- Achieve the best CPA score within the financial resources available.

2 Executive Summary

2.1 This land is owned by Mr Nafri and the shops in occupation are leased by him. The former mini supermarket is empty and has been for nearly three years and these premises and the remaining site is an area of anti social behaviour which have been the subject of numerous complaints to both the Council’s Environmental Protection Team and Planning Enforcement.

2.2 In April 2006 Leicester Housing Association (LHA) successfully bid for resources to develop this site after acceptance of a verbal offer by the owner. In April 2007 however the owner marketed the site again for a higher price. Apex as a development partner to LHA put in an offer to the owner at the higher price and their offer was accepted. To date this contract has not been finalised.

2.3 Options now available for the Council to consider for the regeneration of this site are; to continue to engage with Mr Nafri regarding statutory nuisance and leave the site to the market to develop; the Council to negotiate with the owner to purchase the site for affordable housing provision and sell to a partner Housing Association; or use CPO powers to deliver a scheme.

3 Proposed Action

3.1 The Committee is invited to RECOMMEND option 1 for a period of one year with a future report to this Committee if the market fails to bring forward a scheme.
4 Background

4.1 A report titled Land at Leaway, Wellingborough was presented to Community Committee in February 2007 which advised that LHA were looking to redevelop this land through a land assembly and had bid for resources from the Housing Corporation in October 2005. Development was to commence between 2006-08. LHA had instructed their lawyers on the basis that a verbal offer for £1m had been accepted by the owner Mr Nafri. The site is approximately 0.83 acres.

4.2 The Council and LHA were advised in April 2006 the Housing Corporation’s bid for resources was successful and an award of £882,500 was made on the basis of match funding from the Council of £285,000 which is a contribution to LHA £3.1m total scheme costs. A contribution of £259,000 was approved by Council on 12th December 2006 from the Council’s Capital Programme 08-09.

5 Discussion

5.1 Since the last report, Mr Nafri in April 2007, has openly marketed the site and reneged on the verbal agreement with Leicester HA. In addition the issue of the sitting tenants has still not been resolved. Apex who partner with RSL’s for land and build contracts were asked by LHA to see if they could progress the site assembly, obtain planning and LHA would look at taking the affordable units back when completed. A purchase price was then agreed by Apex at higher than the original accepted offer by LHA, it is understood a figure in the region of £1.4m was accepted. Apex are looking at a higher density development with a greater number of flats and fewer houses.

5.2 During May and June 2007 the Council was advised that Apex were close to closing the option with Mr Nafri for the Lea Way site and were concluding payouts to the existing tenants. It was envisaged Apex would conclude the deal and offer the units to LHA if they wanted them but LHA would have no control over the scheme and would unlikely change the scheme design back to houses, preferred by the Council to meet current housing needs, as Apex were paying more for the land and would not be able to get their scheme to be viable with houses.

5.3 LHA had to give back the Housing Corporation allocation in October 2007 as they could not guarantee using the funding by March 2008 and the scheme would look very different to what was originally envisaged to meet the Boroughs housing needs. A future bid by LHA for some units could be pursued if Apex obtains a conditional contract. The new Housing Corporation process for regular market engagement enables them to consider schemes that are more advanced for development outside the normal bid timetable.

5.4 In November 2007 the Council was advised that Apex still haven’t got Mr Nafri under contract for the acquisition of the site and Mr Nafri has not yet concluded the possession of all the retail units.
5.5 Options for development of the site

5.5.1 Option 1 - Leave to the market to deliver a scheme – The Council could leave the redevelopment of the site to the market at the same time as ensuring the site is kept in a tidy condition through the existing statutory powers contained within Environmental and Planning Legislation. The advantage would be that the Council would not have to find resources to undertake Compulsory Purchase Order (CPO) action, however the disadvantages are that the site is in need of regeneration and the costs of enforcement visits and the negative publicity is impacting on the image and services of the Council. However, there is a proposed change to the way Business Rates are being collected from April 2008 which means that after a three month rate-free period empty retail property will be charged for 100% of the basic occupied business rate. This may encourage the owner to push forward the development of the site.

In the first instance it is recommended that officers approach the landowners directly to establish if there is an opportunity to facilitate a private sector led regeneration of the site. The environmental impacts and consequences of leaving this development as it is and neglecting the security and health risks to neighbouring properties will be spelt out to the owner.

If significant improvement in the site management and environmental quality of the area has not materialised within 2 months of the meeting with the landowners or significant progress in bringing forward a sale of the site for redevelopment then further action should be taken starting with enforcement action through s215 regulations of the Town and Country Planning Act 1990.

5.5.2 Option 2 - Purchase the site – It is understood Apex offered £1.4m to acquire the site but no contract has been formalised as yet. The Council could carry out a valuation of the site and seek to negotiate directly with Mr Nafri to purchase the site, selling to an RSL to provide a mixed tenure development including affordable housing.

5.5.3 Option 3 - Use Compulsory Purchase Powers – If failure to bring the site forward continues for another year after discussions with the owner the Council could consider the use of CPO to acquire the site. There will be significant administration costs associated with securing the site, a sum has yet to be determined. A considerable amount of time and officer resources would also be required. To implement a CPO the Council would need follow the relevant Acts available to them at the time and also have a clear justifiable reason to satisfy the need to compulsory purchase individual private property interests. At the present time such a reason backed through planning policy does not exist and legal advice would be required as to the likelihood of success. If a scheme were developed a local RSL could provide an affordable housing element as part of a mixed tenure scheme and re bid to the Housing Corporation as part of the regular market engagement process. In the Local Plan, Policy S6 there is a requirement that small scale local centres should be retained for retail use and National Planning Policy (PPS6) indicates that local authorities should, where appropriate, seek to protect existing facilities which provide for people's day-to-
day needs and seek to remedy deficiencies in local shopping and other facilities to help address social exclusion. The majority of the retail space here has been empty for many years having failed to attract a tenant. Local property advice has been sought and it would be extremely difficult to make a mixed use scheme with retail and community facilities work in this location.

6 Legal Powers

7 Financial and value for money implications
7.1 £259,000 has been set aside in the capital programme towards the development of affordable homes on this site at Lea Way which will not be required in the short term. A report to a future Resources Committee will request Members vire these funds to a more advanced affordable housing development. There may be additional costs borne by the Council for Environmental Protection and Planning Enforcement Action if the site is left undeveloped. If a CPO is pursued resources, an amount has not yet been determined, will be required from the capital programme.

8 Risk analysis and Implications

<table>
<thead>
<tr>
<th>Nature of risk</th>
<th>Consequences if realised</th>
<th>Likelihood of occurrence</th>
<th>Control measures</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Option 1 – Leave to the market</strong></td>
<td>No guarantee of regeneration within a specified timescale</td>
<td>High</td>
<td>To actively engage with landowner using statutory enforcement powers</td>
</tr>
<tr>
<td><strong>Option 2 – Council to purchase</strong></td>
<td>High land costs but control over regeneration</td>
<td>High</td>
<td>To negotiate a lower land price</td>
</tr>
<tr>
<td><strong>Option 3 – CPO</strong></td>
<td>No specified scheme through planning policy. Costs and officer resources to undertake but will provide control over land assembly</td>
<td>High</td>
<td>Using statutory CPO powers will provide control to develop</td>
</tr>
</tbody>
</table>

8.1 Implications for Resources
There are implications for resources implementing any one of the three options. Staffing resources will be required to continue to monitor the condition of the site and issue advice and statutory notices as required. If purchasing the site resources will be required to purchase the land and sale to other parties. If CPO is pursued there will be costs for the Council to administer.
8.2 Implications for Stronger and Safer Communities
All three options will provide for the opportunity to have stronger and safer communities

8.3 Implications for Equalities
Any scheme that is subsequently provided that is mixed tenure will provide for people with varying income levels.

9 Author and Contact Officer
Vicki Jessop – Housing Strategy Manager, Sustainable Development

10 Consultees
Joe Hubbard Executive Director – Sustainable Communities
Bob Entwistle Executive Director – Stronger Communities
James Wilson Corporate Manager - Sustainable Development
Rob Wilton Head of Financial Services
Carol Conway Principal Housing Strategy Officer
Brian Stewart Legal Services Manager
Robert Vaughan Property Manager
Mike Hay Byrne Planning Policy Manager
Mike Kilpin Principal Development Control Officer
Dave Chandler Environmental Health Officer
Ewan Rennie Enforcement Officer
Development and Regeneration Officers Group

11 Background Papers
Community Committee 5th February 2007 Land at Lea Way, agenda item 8
Appendix One