

Thurrock: A place of opportunity, enterprise and excellence, where
individuals, communities and businesses flourish

Cleaner, Greener and Safer Overview and Scrutiny Extraordinary Committee

The meeting will be held at **7.00 pm** on **15 November 2017**

Council Chamber, Civic Offices, New Road, Grays, Essex, RM17 6SL

Membership:

Councillors Roy Jones (Chair), Cathy Kent (Vice-Chair), Clare Baldwin,
Russell Cherry, Gary Collins and Terry Piccolo

Substitutes:

Councillors John Allen, Oliver Gerrish, Garry Hague, Ben Maney, David Potter and
Gerard Rice

Agenda

Open to Public and Press

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Queries regarding this Agenda or notification of apologies:

Please contact Jenny Shade, Senior Democratic Services Officer by sending an
email to Direct.Democracy@thurrock.gov.uk

Agenda published on: **7 November 2017**

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DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF

Breaching those parts identified as a pecuniary interest is potentially a criminal offence

Helpful Reminders for Members

- *Is your register of interests up to date?*
- *In particular have you declared to the Monitoring Officer all disclosable pecuniary interests?*
- *Have you checked the register to ensure that they have been recorded correctly?*

When should you declare an interest at a meeting?

- **What matters are being discussed at the meeting?** (including Council, Cabinet, Committees, Subs, Joint Committees and Joint Subs); or
- If you are a Cabinet Member making decisions other than in Cabinet **what matter is before you for single member decision?**



Does the business to be transacted at the meeting

- relate to; or
- likely to affect

any of your registered interests and in particular any of your Disclosable Pecuniary Interests?

Disclosable Pecuniary Interests shall include your interests or those of:

- your spouse or civil partner's
- a person you are living with as husband/ wife
- a person you are living with as if you were civil partners

where you are aware that this other person has the interest.

A detailed description of a disclosable pecuniary interest is included in the Members Code of Conduct at Chapter 7 of the Constitution. **Please seek advice from the Monitoring Officer about disclosable pecuniary interests.**

What is a Non-Pecuniary interest? – this is an interest which is not pecuniary (as defined) but is nonetheless so significant that a member of the public with knowledge of the relevant facts, would reasonably regard to be so significant that it would materially impact upon your judgement of the public interest.

Pecuniary

If the interest is not already in the register you must (unless the interest has been agreed by the Monitoring Officer to be sensitive) disclose the existence and nature of the interest to the meeting

If the Interest is not entered in the register and is not the subject of a pending notification you must within 28 days notify the Monitoring Officer of the interest for inclusion in the register

Unless you have received dispensation upon previous application from the Monitoring Officer, you must:

- **Not participate or participate further in any discussion of the matter at a meeting;**
- **Not participate in any vote or further vote taken at the meeting; and**
- **leave the room while the item is being considered/voted upon**

If you are a Cabinet Member you may make arrangements for the matter to be dealt with by a third person but take no further steps

Non- pecuniary

Declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature



You may participate and vote in the usual way but you should seek advice on Predetermination and Bias from the Monitoring Officer.

Vision: Thurrock: A place of **opportunity**, **enterprise** and **excellence**, where **individuals**, **communities** and **businesses** flourish.

To achieve our vision, we have identified five strategic priorities:

1. Create a great place for learning and opportunity

- Ensure that every place of learning is rated “Good” or better
- Raise levels of aspiration and attainment so that residents can take advantage of local job opportunities
- Support families to give children the best possible start in life

2. Encourage and promote job creation and economic prosperity

- Promote Thurrock and encourage inward investment to enable and sustain growth
- Support business and develop the local skilled workforce they require
- Work with partners to secure improved infrastructure and built environment

3. Build pride, responsibility and respect

- Create welcoming, safe, and resilient communities which value fairness
- Work in partnership with communities to help them take responsibility for shaping their quality of life
- Empower residents through choice and independence to improve their health and well-being

4. Improve health and well-being

- Ensure people stay healthy longer, adding years to life and life to years
- Reduce inequalities in health and well-being and safeguard the most vulnerable people with timely intervention and care accessed closer to home
- Enhance quality of life through improved housing, employment and opportunity

5. Promote and protect our clean and green environment

- Enhance access to Thurrock's river frontage, cultural assets and leisure opportunities
- Promote Thurrock's natural environment and biodiversity
- Inspire high quality design and standards in our buildings and public space

15 November 2017		ITEM: 4
Cleaner, Greener and Safer Overview and Scrutiny Extraordinary Committee		
Linford Household Waste & Recycling Centre – Commercial Vehicle Access Policy		
Wards and communities affected: All		Key Decision: Key Decision
Report of: Beau Stanford-Francis – Environmental Protection & Contracted Services Manager		
Accountable Assistant Director : Julie Rogers – Director of Environment and Highways		
Accountable Director: Steve Cox – Corporate Director, Place		
This report is Public		

Executive Summary

Thurrock Council operates a single Household Waste and Recycling Centre (HWRC) at Linford. The site was recently bought back in-house after the incumbent contractor rejected the opportunity to renew the contract for operating the site. Now in-house the Council is presented with an opportunity to take measures to encourage recycling, reduce waste disposal costs and prevent unauthorised waste disposal at the site.

An independent survey undertaken in June suggests that there is a significant degree of commercial waste abuse on-site which is jeopardising the site's environmental permit, exacerbating capacity issues and creating significant avoidable waste disposal costs. This report explores the options to reduce unauthorised disposal and recommends a van and trailer permit scheme.

1. Recommendation(s)

That Cleaner, Greener and Safer Overview and Scrutiny Committee are asked to make the following recommendations to Cabinet:

- 1.1 To implement a permit based system for site access for Commercial Vehicles and Vehicles towing trailers at the HWRC.**

2. Introduction and Background

- 2.1 In line with Environmental Permitting Regulations Linford HWRC is operated under licence from the Environment Agency with regular inspections being undertaken to ensure that the site is being run in accordance with the law. The site licence governs the site operations and the waste types that the site can accept; it also imposes requirements for site competent persons. Failure to comply with the terms of the licence can lead to the Council being prosecuted under Environmental Legislation or the restriction or closure of the site. The terms of the site permit at Linford specifically prohibit Trade Waste, failure to comply with the site permit is likely to result in restriction or potentially revocation of the licence.
- 2.2 Site operational costs remain within the budget however, the cost of disposing and transporting the waste deposited is over and above that budgeted, and this is likely to create a budget pressure in year. Management of the disposal element of the site budget is primarily controlled by preventing the unauthorised deposit of waste at the site and by ensuring that waste is segregated into the cheapest disposal stream. A small number of waste disposal streams generate an income for the site however, the majority specifically: Plasterboard, Residual Waste, Wood Waste and Hardcore incur significant costs.
- 2.3 An independent study undertaken by a specialist waste consultancy for 4 weeks in June 2017 has determined that 'Potential Traders undertook 27% of all visits to the HWRC, contributing to 33% of all site tonnage and at an estimated cost of £250,000 per annum. For comparison, the calculated borough wide cost for the clearance of fly-tipping is estimated at £125,000 per annum. This £250,000 represents an avoidable cost and a direct burden to the tax payer.

3. Proposed revised waste acceptance policy for commercial vehicles and trailers

- 3.1 At present the site is operating beyond its capacity. It is clear that a large amount of this throughput is due to commercial waste being deposited on site, thus putting additional burden onto a site that is already at its limit. Depositing commercial waste at the site is a criminal offence and is a contravention of the site's environmental permit. Failure to address the amount of commercial waste being deposited on-site puts the site permit at risk and could result in site closure. The commercial waste abuse at the site costs the council a significant amount of money, and puts legitimate businesses at a financial disadvantage to those businesses disposing of waste legally.
- 3.2 In October 2016 Essex County Council introduced sweeping changes to the waste acceptance criteria at its sites. Changes include:

- Removing van and trailer access at 12 of its sites
- Introducing significant restrictions on the time periods that vans and trailers can access sites
- The amount of waste that vans and trailers can deposit

Anecdotal evidence suggests that the restrictions at the Essex sites and the easy access via the A13 to Linford has made the HWRC a soft target for those wishing to dispose of waste illegally and at cost to Thurrock Council. Restrictions at Pitsea, Canvey Island and Rayleigh Essex CC sites are of particular close proximity to Linford via the A13.

3.3 Key Findings from Linford Trade Waste Survey

The Survey took place for 25 days in June 2017 the key findings of the report are as follows:

- 27% of all visits to the site during the survey represent potential trade abuse.
- 64 of the identified potential trade vehicles visited the site to dispose of waste more than 3 times with some vehicles making up to 7 or more visits.
- An estimated £19,500 of commercial waste was deposited at the site during the 25 day survey. When forecast over 12 months this would equate to a total of £250,000 over a year.

4. Options for restricting illegal Commercial Waste abuse on-site

4.1 Do Nothing

The level of Commercial Waste Abuse at Linford HWRC needs to be addressed to do nothing is not a viable option. The cost at an estimated £250,000 pa, the risk to the site Environmental Permit which could lead to site closure and the operational burden that the throughput of illegal waste is creating is unsustainable. This is a historic and ongoing issue that was faced by the previous external contractor who managed the site. It is clear that this additional cost was a factor in their decision not to agree to an extension of the site contract.

4.2 Ban all Vans from Site

This option has been discounted as it would prevent householder's from hiring or using commercial vehicles for legitimate waste disposal such as when moving house, spring cleans or similar.

4.3 Introduce Charging for Vans On-site

The current environmental permit does not allow for commercial waste on-site. The site capacity and layout is such that there is no reasonable assumption that a change to the existing permit would be granted. This has been borne out in informal consultation with the Environment Agency.

4.4 Introduce a permit system to limit the potential for commercial waste abuse on-site. – ***The recommended option***

Vans and trailers on-site would be required to show a valid permit each time that they accessed the site. Permits would be supplied on application to Thurrock residents with a van requiring access to the site. The number of permitted visits in the commercial vehicle per annum would be restricted to a defined number at present 12 visits per year. This approach has been implemented successfully at a number of local authorities. Vans attending the site without a permit will be given information relating to the scheme and also signposted to the numerous private licenced disposal sites in the locality.

5. Proposed Permit Scheme

5.1 Vehicles in-scope of permit scheme

The following vehicles would be in-scope of the permit scheme

- Any Vehicle without side rear windows
- Any Flat-back Vehicle
- Any Pickup Style Vehicle (2 or 4 seats)
- Any Large MPV where the seats have been removed
- A vehicle that is towing a trailer
- Any vehicle over 3.5 tonnes

5.2 Permit Duration and total number of permitted visits.

- Vehicles in scope of the permit scheme where the registered keeper is a Thurrock Council Tax payer would be entitled to a 12 month permit allowing them to visit the site and deposit waste 12 times per year.
- Thurrock Council Tax payers hiring a vehicle in scope of the permit policy would be granted a 7 day permit for a specified registration. They would be required to provide hire paperwork and no more than 12 permits or a total of 12 visits would be permitted per year.

5.3 Cost of administering Permit Scheme

The estimated cost of delivering the permit scheme is £26,000 per year. This allows for 0.5 FTE to administer the scheme and £5,000 allowed for printing, promotion and advertising of the scheme. In the first 3 months in order to embed the scheme an additional £10,000 of cost will be incurred in order to pay for additional security on-site to support permit implementation.

These costs will be found from the saving that is envisaged from reduced disposal costs. The application process will be primarily web based with a paper based application form available for use in appropriate circumstances. Permits will be checked and stamped each visit by TUC the existing staff on-site. There are no plans to introduce a cost to residents for either application or supply of the Van Permit, analysis identifies an estimated £250,000 per

annum of avoidable trade cost. Any reduction in spend will contribute towards reducing the existing waste disposal pressure within the Environment Service.

5.4 Proposed Implementation Plan and Communications

- In the period leading up to the implementation of the permit scheme flyers detailing the scheme will be handed out to those accessing the site in Commercial Vehicles.
- Communication campaigns will be put in place to inform residents' via the channels available to the Council; including Social Media, the local press and News Letters.
- One-off permits to be issued to vehicles during a one month amnesty period following implementation.
- If approved by Overview and Scrutiny and Cabinet the proposed permit scheme will be implemented as soon as practicably possible. In order not to compromise site operations over the busy Christmas period the permit scheme will be likely to be implemented in January 2018.

5.5 Risks and Mitigation

The Linford site is remote and historically there has been a strong resistance to any policing of trade users accessing the site illegally. Anecdotally there has been verbal abuse and threats of physical harassment in a number of cases where access has been denied. This has also been the case at other authorities where Commercial Waste restrictions have been put in place.

In order to support staff during the first 3 months of the permit schemes operation in addition to a comprehensive communications campaign Enforcement Officers will be placed on-site to provide security and the enforcement of waste carrier and disposal legislation. As per 5.3, finance has been allocated for supporting the initial implementation however there is an acceptance that there may be a requirement for some rolling ad-hoc enforcement support as required.

6. Reasons for Recommendation

- 6.1 This recommendation to introduce Commercial Vehicle Permits has been made to reduce the cost of illegal waste disposal at the HWRC, to reduce congestion on-site, to protect the sites environmental permit and reduce the risk of waste disposal overspends related to the volume and nature of waste received on-site.

7. Consultation (including Overview and Scrutiny, if applicable)

- 7.1 Cleaner, Greener and Safer Overview and Scrutiny Committee November 2017.

8. Impact on corporate policies, priorities, performance and community impact

- 8.1 This report supports the Councils priority to “Promote and Protect our Clean and Green Environment”

9. Implications

9.1 Financial

Implications verified by: **Laura Last**
Management Accountant

Implementation of a permit scheme to reduce the levels of Commercial Waste being deposited will contribute towards mitigation of the projected site waste disposal overspend. The cost of implementing the permit scheme will be met from existing operational budgets.

9.2 Legal

Implications verified by: **Vivien Williams**
Planning & Regeneration Solicitor

The Legal Implications are contained within the report itself.

9.3 Diversity and Equality

Implications verified by: **Natalie Warren**
Community Development & Equalities Manager

There are no direct diversity or equalities issues arising from the content of this report.

9.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

Reduction in illegal waste disposal at the Household Waste and Recycling Centre in contravention of Section 33 of the Environmental Protection Act 1990.

10. Background papers used in preparing the report (including their location on the Council’s website or identification whether any are exempt or protected by copyright):

- Surrey County Council commercial vehicle access guidance

<https://www.surreycc.gov.uk/waste-and-recycling/apply-for-a-van-and-trailer-permit>

- Essex County Council HWRC changes to waste acceptance policy at Waste & Recycling Centres:
<http://www.recycleforessex.com/our-waste-strategy/changes/>

11. Appendices to the report

None

Report Author:

Beau Stanford-Francis

Environmental Protection and Contracted Services Manager

Environment and Place

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