

EAST HERTS COUNCIL

ENVIRONMENTAL SCRUTINY COMMITTEE - 11 JUNE 2013

REPORT BY HEAD OF ENVIRONMENTAL SERVICES

CONTRACT PERFORMANCE – ENVIRONMENTAL OPERATIONS

WARD(S) AFFECTED: ALL

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Purpose/Summary of Report

To advise Members on the current performance of the two main contracts for Waste Services (Refuse and Recycling, Street Cleansing) and Grounds Maintenance.

<b><u>RECOMMENDATION FOR ENVIRONMENT SCRUTINY COMMITTEE</u></b>
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<b>That:</b>
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(A)	Members scrutinise the current performance of the Council's main environmental management term contracts.
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1.0 Background

1.1 The Environmental Services department delivers a number of services through a range of contracts and using in-house staff. The primary objective of this report is to provide members with an annual update of the performance of the main term contracts.

1.2 The combined Refuse, Recycling and Street Cleansing contract was awarded to Veolia Environmental Services for a period of seven years, with a possible extension of up to seven years, in November 2010 and commenced on the 9th May 2011. This report covers the second year of the

contract.

- 1.3 The Grounds Maintenance Contract was re-tendered in 2007 and awarded to John O Connor Ltd from April 2008 for six years and 9 months with a possible extension of up to seven years. The Contract includes additional elements to undertake most highways grounds maintenance (A roads are excluded) on behalf of Hertfordshire County Council and also the maintenance of grounds adjacent to ex-Council estates owned by Riversmead Housing Association.
- 1.4 The contract has been reviewed to consider whether it should be extended or a new contract let from January 2015. At its meeting on 12 December 2012 the Council agreed to extend the contract for a further five years. The contractor was able to offer sufficient financial and service improvement incentives and had demonstrated a level of performance to give confidence to this decision.

## 2 Report

- 2.1 This section of the report details contract and contractor performance over the last twelve months and compares this with the previous year. It also provides an update on some of the key initiatives undertaken by Environmental Services as a whole on associated environmental maintenance and enforcement activities.

### **Refuse & Recycling (ARC)**

- 2.2 The Alternate Refuse and Recycling collection service (ARC) was introduced in November 2009 which enabled the majority of the district to recycle or compost much of their waste. However due to their location, houses on 'Folly Island' in Hertford, were unable to receive brown bin collections as the lorries are too large to access the area.
- 2.3 Residents were receiving a weekly collection of refuse sacks, and a fortnightly collection of dry recycling in boxes. Collections were being made in a caged van that our contractor usually uses to collect street cleansing bags. No organic waste was being collected separately for

composting, and it was being collected with refuse and sent for landfill.

- 2.4 In November 2012, the council launched 'ARC +', and Veolia sourced a smaller vehicle which could access this area. The vehicle has three compartments, allowing for one week the collection of organic waste and plastics and cans for recycling, the following week their domestic waste and paper and glass. Residents were provided with a 23 litre kerbside caddy for food waste, as well as a 5 litre caddy, which aids food waste capture in the kitchen and brown paper sacks for garden waste, as well as their existing pink sacks for refuse and 55 litre recycling boxes.
- 2.5 The service was on an 'opt-in' basis. Those who did not wish to were able to carry on with their previous collection system (weekly refuse sack collection).
- 2.6 A leaflet explaining the service was sent to every resident, inviting them to an open evening at Hertford theatre to discuss the service, see the containers, and collect them if they wanted. Those who could not attend but wanted to opt-in were delivered the containers at a later date.
- 2.7 At the June 2012 meeting of the Environmental Scrutiny Committee, a report was presented detailing progress with a programme to increase the amount of dry recycling collected and divert more from landfill. Known as the SURGE (Seek, Urge, Reiterate, Generate, Evaluate) project, its aim was to encourage residents to recycle more of their waste in a targeted way.
- 2.8 Of the 80 collection rounds/areas in East Herts completed each week, the lowest performing areas were identified using weights recorded from each round before the vehicles tipped the collected material at the Council's Buntingford Service Centre.
- 2.9 The Council produced a bin hanger explaining that the resident was in an area of lowest performance, and the value of recycling in financial terms. It was hoped that this new way of incentivising residents to recycle would capture those who had previously not participated as much in

recycling based on the environmental arguments the Council has used in its communications.

- 2.10 After the hangers were delivered to residents, recycling tonnages were monitored in order to get an average figure to compare with weights prior to SURGE taking place.
- 2.11 Results reported to the Environment Scrutiny Committee in November 2012 showed an increase of up to 30% for the rounds that were targeted.
- 2.12 At the same time Members were advised of the next five lowest performing rounds which the Council planned to target. Hangers have since been delivered to residents and weight data continues to be collected.
- 2.13 A key performance measure for waste collection is the number of containers missed by the contractor. This needs to be considered in the context that the service makes around 4.3 million collections per annum. There was a significant decrease in the level of missed bins per 100,000 collections from 36.80 in 2011/12 to 28.95 in 2012/13 which is significantly better than the Council's target level of 50. Standards are continually monitored and any shortfalls in service delivery are rectified swiftly and efficiently.
- 2.14 The Council, in partnership with its contractor, developed two dedicated rounds that services trade customers and communal properties (flats that receive weekly waste collections). This was to make all rounds more efficient in terms of fuel usage and carbon footprint. It involved changes to the schedule and for some residents and customers a change to their collection day. All affected were written to, informing them of the change.
- 2.15 The percentage of household waste recycled and composted has decreased slightly from 48.35% in 2011/12 to 47.47% (provisional figure) in 2012/13. This is disappointing given the Council's expectancy of attaining 50%, and relates to the economic downturn and weather conditions. Paper tonnage were 10% down, whilst glass levels were comparable with the previous year and although plastics and cans tonnage grew by almost 18%, this represented less than 300 tonnes, as these material are very low in weight. Also record wet

and cold weather in spring/summer 2012 and early 2013 reduced the amount of garden waste produced with composting levels being 5.2% below 2011/12.

- 2.16 The amount of waste collected from households and disposed of fell last year by 10 Kgs per household, from 474 Kgs in 2011/12 to 464 Kgs last year. This represents a 1% decrease in waste disposed of in tonnage terms, whilst the number of properties in the district increased by around the same level. Whilst the recycling level may be considered to be somewhat disappointing the underlying statistics show an encouraging trend in waste prevention and minimisation in that the tonnage of dry recycling, composting and waste are all lower than last year. This shows a genuine reduction in the amount of waste being produced and not simply migration from one stream to another, i.e. waste levels have not reduced solely because people have been persuaded to recycle more.
- 2.17 The Council's future focus on waste performance should place increasing emphasis on overall waste prevention rather than trying to divert as much as possible to recycling or composting. So part of the campaign work in 2013/14 will be to increase the promotion of home composters, available through Waste Aware at low prices, and give more advice on how to reduce food waste.
- 2.18 The commercial refuse collection service increased in gross income in 2012/13 to £476,153 against an estimate of £446,400. The customer base increased by 45 since last year (558 in 2011/12 to 603 in 2012/13). Customers who use the Council's sack collections rather than a bin have also been encouraged to receive an annual delivery in April, with no delivery charge. A delivery charge of £25 has been introduced for extra deliveries, reflecting the additional cost. However, businesses may collect them without a delivery charge from the Council's offices in Bishop's Stortford or Hertford. This has encouraged businesses to request the number of sacks they need for the year and reduced staff time spent making additional deliveries due to under ordering.

- 2.19 Clinical Waste Collections increased in gross income in 2013/14 to £79,876 against an estimate of £65,600. Clinical Waste Regulations have been through significant changes over the last few years and the Service has managed to ensure not only that the Council and our contractor have been compliant, but also to act as a source of advice to other members of the Herts Waste Partnership.
- 2.19 The Council continues to operate a successful shared service clinical waste collection with North Herts District Council.

### **Initiatives for 2013/14**

- 2.20 Members will be aware of the need to remove cardboard from the organic (brown bin) stream. Following Council approval in March 2013, a project to deliver this and increase the amount of waste recycled, known as SPARC (Separate Paper and Recycling Collections), is currently underway. This is a major and significant change in service delivery and will require a large proportion of officer time being spent on ensuring its success. An update is being reported under another agenda item at this meeting.

### **Street Cleansing**

- 2.21 The Environmental Protection Act (1990) determines the standards that must be met and the inspection criteria to be used in determining the performance of the street cleansing operation. Contractor performance is measured by the Council's Environmental Inspection Team, which conducts both programmed and complaint led inspections, grading streets accordingly.
- 2.22 In addition, the previous Government required additional inspections to be conducted against specific criteria and these were used to calculate statutory national indicator NI 195. From April 2011 this was no longer a Government required indicator; however in accordance with the decision of the Executive Committee in March 2011 these inspections will continue in this format as a 'local' performance indicator to track service standards.
- 2.23 This indicator is based upon sample surveys conducted three times a year, totalling 900 inspections. The format and sample size were previously set by Government. It

calculates the percentage of inspections that identify significant levels of litter and detritus (road dirt). The lower the percentage, the higher the performance. East Herts performance against this indicator was 2.3% for litter and 6.9% for detritus in 2011/12. In 2012/13, litter decreased to 1.78% and detritus fell to 6.51%. East Herts has a very low level of litter problems compared to many local authority areas and the low percentages reflect this. This is substantiated by a decrease in the number of complaints made regarding cleansing issues. Regular inspection of the district's streets by the Area Environment Inspectors has resulted in better performance (rectifications issued to the contractor have decreased year on year) and quick action taken to resolve any issues.

- 2.24 There were 645 complaints in 2012/13 compared with 807 in 2011/12 – a decrease of 162 (See **Essential Reference Paper 'B'**). Of the complaints received last year, only 53 were 'validated complaints' against the contractor's performance. The remainder were regarding areas which are not part of the scheduled contract work and therefore not a performance failure. Analysis is also carried out to determine, which roads feature more frequently, enabling changes to be made in the frequency of cleansing, litterbins to be added if required, and any contractor performance issues to be addressed.
- 2.25 The average time to clear fly tips rose in 2012/13 from 1.21 (11/12) to 1.47. Larger fly tips (usually those requiring a 'grab lorry') take longer to clear, and this slight increase can be related to the increase in the relative proportion of these. The average time to clear all fly tips is still well within the expectancy of 2 days. The number of recorded fly tips decreased by 27% from 2011/12 to 2012/13 (889 down to 700). Small and large scale fly tips both decreased; the largest fall noted in small fly tipping incidents (452 in 2011/12, to 297 in 2012/13). The Council's officers have been involved in partnership working with the police and other agencies to target unlicensed waste carriers through roadside stop and searches (Operation Agrarian), and the Fly Tipping Working Group, where Hertfordshire councils and other agencies meet regularly to share knowledge and best practice with regards to tackling fly tipping. East Herts

officers have attended seminars from Keep Britain Tidy to share ideas on the issue as well.

- 2.26 In the last 12 months, the service has continued with the following initiatives connected to environmental management:

#### Dog Micro Chipping

- The Council has been working with the Dogs Trust, Riversmead and South Anglia Housing Associations on an information campaign and dog chipping programme free of charge for social housing tenants, commencing in November 2012.
- So far 74 dogs have been micro chipped. It has also been recognised as a great opportunity to offer advice on neutering and responsible dog ownership thought the community. It is anticipated that there will be a further uptake of the service due to the new legislation where all dogs will have to be micro chipped by June 2016.

#### Litter

- Black and yellow anti-litter signs that Members may have seen around the district, particularly on main road junctions/roundabouts/traffic lights have been moved around to target hotspot areas and respond to resident requests as they develop.
- In June 2012 the Council commenced a new anti-litter campaign, particularly focusing on fast food and smoking litter. A presentation on progress with the scheme was given at Environment Scrutiny Committee in March 2013. Road shows were organised at local markets, and the team also set up a stand outside Tesco in Hertford. Officers also worked with Hertford Regional College as part of this project due to communicate the message to young people. A roadshow was set up where over 100 stubbies (portable ashtrays) were handed out to students to encourage them to dispose of their butts responsibly.
- In partnership with MacDonald's at Rush Green roundabout, Hertford, the Council organised a 'litter



blitz' of the area following on from concern being raised about the environmental quality there. Staff from both groups collected over 40 bags of litter.

- The council set up the 'Tidy Business Scheme' as part of the initiative. Business were written to, and encouraged to make a pledge to keep their shop front and adjacent areas clean and tidy. They were then provided with a sticker to put in the window to promote the scheme and given advice on how to encourage their staff to dispose of litter and cigarette butts responsibly. To date 31 businesses are recorded as joining the scheme and a further 32 requested information packs.

### Illegal transport of waste

- 3 vehicle 'stop and search' events in association with the Police and other enforcement agencies as part of 'Operation Agrarian' were held. The objective was to find those transporting their waste without a Registered Waste Carriers Licence.

### Enforcement

- In 2012/13, 12 Fixed Penalty Notice's were issued for littering and 1 FPN was issued for a waste related offence.
- The following offences were investigated in 2012/13:

37 Fly tipping offences

17 Waste offences

12 Litter offences

19 Dog Fouling

4 issuing of free literature without permission

1 tree protection offence

1 Nuisance vehicle offence

91 offences were investigated (including those where an FPN was the result), 47 less than the same period the year before. Decreases in investigations of fly tipping, waste and distribution of free literature offences were all observed. Investigated fly tips experienced the biggest decrease (60 in

2011/12 to 37 in 2012/13), which could be attributed to the drop in the number of fly tip incidents. This may also be credited to the Council's approach to tackling environmental crime, through its publicity program. The Council displays anti-fly tipping signs in 'hot spot' areas; both designed in house and supplied by the Environment Agency to warn potential offenders that the area is under surveillance. The Council has also worked in partnership with local landowners to ensure potential fly tipping hot spot areas are made inaccessible thus discouraging the activity.

- 2.27 Waste offences (contamination of recycling containers, unauthorised double bins and side waste) are also monitored. This is necessary to minimise waste, maintain the quality and value of material collected and avoid rejection by re-processors, leading to a loss of income and additional costs of disposal to landfill. Residents are given a series of 3 advisory letters, which if not responded to, and occur within a six month period, may result in a formal Notice being issued under Section 46 of the Environmental Protection Act (1990). If the Notice is breached then a FPN will be issued. In 2012/13 - 633 letters were sent to people for their second offence, (crews sticker contaminated bins and boxes initially) 182 letters were sent following a third offence and 50 letters were sent following a fourth offence. The letters are considered to be effective as can be seen above that the number of people being written to more than once or twice declines sharply. One Section 46 Notice was issued in 2012/13 which was breached and resulted in an FPN being issued and paid.

## **Grounds Maintenance**

- 2.28 The grounds maintenance contract with John O'Conner (GM) Ltd has now been in place for five years. Performance in 2012/13 has generally been very good.
- 2.29 The overall level of validated complaints increased by 11% to 148 in 2012/13 compared to 131 in 2011/12. This level is still well below the average over the last five years (207). A small increase was expected due to the prolonged wet weather over the summer months. Where the grass, shrub and hedge growth would normally have slowed from July to September, the wet and warm weather actually resulted in

unusually vigorous growth for this time of year. Whilst the contractor was able to deal with this by rescheduling their programme and shifting resources, any high growth period will always attract a higher number of complaints. The extended period of growth had a particular affect on hedge pruning operations. This is because the contract allows for two scheduled prunes across the year (August and November), the second cut was brought forward but there were still inevitably a higher number of rectifications that needed to be issued than normal. Overall, given the increased vegetative growth during this period, the contractor did well to keep the level of validated complaints below that of the average.

- 2.30 Rectification Notices are issued to contractors to require them to correct a minor issue. Default Notices, which attract a financial charge, are issued if it is more serious or where a minor problem is not resolved quickly. Rectification Notices increased by 39% from 166 in 2011/12 to 274 in 2012/13 for the reasons explained above. The level of Defaults, where Rectifications have not been resolved satisfactorily or where the breach has been more serious, has remained extremely low. No defaults were issued in 2012/13 (See Essential Reference Paper 'B').
- 2.31 The contractor has developed a strong and effective level of supervision utilising a carefully revised programme of works and working closely with the Council's Area Environmental Inspectors. The weekly "compliance audit" tests against five elements of performance. It shows the levels of performance relating to the efficiency of the contractor's work programme and the accuracy of their own supervision reports. Both these tests revealed a consistent near faultless performance in these areas with 3.1% test failures for 2011/12 compared with 2% for 2012/13.
- 2.32 The recent scrutiny review to assess contract performance and the potential for a contract extension concluded that:
- The evidence gathered showed that the contract delivers value for money.
  - Performance has improved significantly in comparison with the previous contract and shows consistent levels of improvement throughout the period of the contract to date.

The evidence from partners and officers demonstrated that the contract provides a service to the Council's customers that meets their expectations and is to a standard that delivers its corporate objectives.

- The value of retaining continuity, a proven quality of service, and the interests of our current potential partners and the financial and service improvement benefits of an extension outweighed the potential benefits of retendering the contract.

2.33 Work continues with the contractor to ensure that the contract achieves a consistently high standard. Some highlights of this include:

- Continued review of the program of works to ensure that all tasks are carried out at the correct time of year taking into account seasonal variations and customer requirements. The contractor works closely with the Council to respond to any trends or patterns in the level of complaints or rectifications in certain areas to ensure that the programme is adjusted to meet any seasonal variations.
- There have been no significant problems either with certain areas of the district or with particular types of operations. For instance, the unusually high rainfall across the summer months this year resulted in prolific grass growth. The contractor dealt with this by employing sufficiently well equipped and trained staff to cut grass to the expected standard without adversely affecting performance in other areas such as shrub pruning or litter picking.
- The winter work program is now a crucial feature in the council's ability to deal effectively with areas that had previously been managed in an adhoc way. Working with both the contractor and utilising the expertise of local arboricultural specialists this has successfully enabled better forward planning and the removal of "problem" areas that had previously generated complaints.
- Supervisors and managers meet regularly with organisations such as the Police, County Council, Housing Associations and In Bloom groups to ensure communication avenues are kept open. These meetings provide essential information on local issues and

feedback from customers. The Grounds Maintenance contractor, Leisure Services contractor and local football clubs have recently met to discuss the management of the Council's football pitches.

- The Council's two 'Friends of Groups' establish important links to the local community and introduce an additional and valuable presence on site in our parks. Both groups carry out a wide range of tasks on site supported closely by our own contractors. They have proved invaluable in the continued development of these parks and in ensuring that the Council is meeting the needs of park users in general.
- The contractor has provided all staff with the opportunity to take NVQ level 2 qualifications which is proving to be a useful addition as all areas of maintenance can now be monitored with greater care. Their apprenticeship scheme has successfully increased the availability of skilled staff in the sector as well as providing opportunities for local young people.
- This continuing level of performance has helped to ensure standards are maintained, which is essential especially when reapplying for 'Green Flag' (a national accreditation scheme for parks) for the Ridgeway and Southern Country Park each year.
- The contractor works in conjunction with Job Centre Plus to provide job seekers with the opportunity to try out working within the horticultural industry. Five people were trialled during 2012 and three were then re-employed at the start of 2013.
- The contractor achieved "Investors In People" accreditation demonstrating a strong commitment to improving and developing their service performance.
- An innovative operational improvement has been thoroughly tested and found to improve safety and efficiency this year. The contractor has designed and fitted a special guard rail to the rear of their open bed vehicles which enables operatives to safely stand on the back of the vehicle whilst pruning hedges. This speeds up the process by avoiding the need to frequently move static platforms or ladders as they progress along a hedge.

- The contractor has continued to work in partnership with Capel Manor College and from the six apprentices taken on in 2012 they have given full employment to one to start the 2013 season. Most of the students unable to continue into full employment were restricted only by virtue of where they lived in relation to the East Herts.

2.34 As officers work through the Parks and Open Spaces Development Programme to create new management plans for our major parks, the contractor plays an important role. As ways to improve each open space are identified, many of these are brought about by changing or adapting the maintenance regimes. At Southern Country Park for instance, working closely together we have changed grass cutting methods across the park and have given consideration to the ongoing conservation activities. The contractor successfully works hand in hand with the Friends Group and the Countryside Management Service.

2.35 Detailed reports on the management and development of the parks service have been reported to Environment Scrutiny Committee as part of the review of the Parks and Open Spaces Strategy in 2012. A new 5 year draft strategy, agreed by this committee at its March meeting has recently undergone public consultation. The final Strategy will be reported to the Executive in July 2013.

### 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**,

#### Background Papers

None

Contact Member: Malcolm Alexander – Executive Member for the Community Safety and Environment  
[Malcolm.alexander@eastherts.gov.uk](mailto:Malcolm.alexander@eastherts.gov.uk)

Contact Officer: Cliff Cardoza – Head of Environmental Services ext. 1527.

[Cliff.cardoza@eastherts.gov.uk](mailto:Cliff.cardoza@eastherts.gov.uk)

Report Author:

Catherine Davis – Waste Services Officer.  
[Catherine.davis@eastherts.gov.uk](mailto:Catherine.davis@eastherts.gov.uk)