

EAST HERTS COUNCIL

ENVIRONMENTAL SCRUTINY COMMITTEE – 7 JUNE 2011

REPORT BY HEAD OF ENVIRONMENTAL SERVICES

9. CONTRACT PERFORMANCE – ENVIRONMENTAL OPERATIONS

WARD(S) AFFECTED: All.

Purpose/Summary of Report

- To advise Members on the current performance of the three main contracts for Refuse and Recycling, Street Cleansing and Grounds Maintenance.

RECOMMENDATION FOR DECISION: that

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| (A) | The current performance of the Council's main environmental management term contracts be noted. |
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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 Street Cleansing contract was let to Enterprise/MRS in May 2001. The Refuse and Recycling contract was let in August 2002 and was also won by Enterprise/MRS. The Council decided to extend the refuse and recycling and street cleansing contracts to May 2011 to make them 'co-terminus' and to let a single contract with the aim of achieving greater economies of scale.

1.3 A Task and Finish Group comprising Councillors and Officers reviewed the services provided under these contracts in 2010 and made recommendations to the Environment Scrutiny Committee and Executive. Their proposals were incorporated into the specification and procurement strategy. Following an extensive tender process, the new 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.

- 1.4 Details of the services commissioned under this contract can be found in the documents listed in the 'Background Papers' section of this report.
- 1.5 At award the Council decided to increase the range of recyclable materials collected to include mixed plastics at an additional cost of £261,000 per annum. This was offset by the £1.5m saving per year over the previous contracts.
- 1.6 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.

2.0 Report

- 2.1 This section of the report details contract 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 the service on associated environmental maintenance and enforcement activities.

Refuse and Recycling (Alternate Refuse Collection)

- 2.2 The Alternate Refuse and Recycling Collection Service (ARC) was introduced from November 2009. This increased the range of materials residents were able to recycle from the kerbside (kitchen waste, cardboard, garden waste, paper, cans, glass, plastic bottles and more recently from May 2011 the addition of plastic types 1-6). This was funded through savings made from alternating weekly collections between recycling and refuse.
- 2.3 Throughout its life, the contract with Enterprise performed at or above the expected levels. Since the beginning of the contract, the Council significantly expanded its kerbside recycling services, increasing the number of collections per annum from around 3 million in 2002 to over 5 million in 2009/10, reducing to 4 million from November 2009 with ARC. In April 2008, organic waste collection (brown bins) was expanded to encompass the rest of the district, so that the service is now available to over 48,800

households. This service is not available to communal properties at present.

- 2.4 The percentage of household waste recycled and composted has increased from 41.24% in 2009/10 to 48.29% in 2010/11. East Herts target for 2010/11 was 48%. This increase was a result of residents recycling much more of their waste in the first full year of ARC. The target for 2011/12 is 50%.
- 2.5 The number of missed bins has improved significantly since the start of the Enterprise contract from over 200 missed per 100,000 collections to 42 in 2008/09. The introduction of ARC saw missed bins increase to 65.9 in 2009/10. This was expected and is a reflection of the major change in the design of the service and residents getting used to their new collection days. However once the new scheme had settled in performance began rapidly improving and by March 2010 the level of missed bins was 43.72 per 100,000 collections. The first full year of ARC (2010/11) saw missed bin levels averaging 34.56 per 100,000, which compared to the target of 50, exceeded expectations. (See Essential Reference Paper 'B'). Going into the new contract with Veolia from May 2011 these standards will be closely monitored to ensure performance continues to meet the high standards required. As part of the new contract mobile data devices will be fitted into waste collection vehicles. This will allow crews to record problems and issues electronically, which will be immediately available to customer service staff at Wallfields. This will speed up the process of responding to customer enquiries about missed bins and also help deal more effectively with problems such as contamination of recycling and overflowing bins.
- 2.6 The commercial refuse collection service continued to expand in 2010/11 with gross income increasing from £423,510 to £500,400 and the number of customers rising from 530 to 548. The service is working to maintain this level during the economic downturn.
- 2.7 The Council's Pest Control team had no reports of increased rat infestations due to the alternate refuse collections. Reports fell from 977 in 2008/09 to 825 in 2009/10 and have continued to fall to 549 in 2010/11. Rat populations are cyclical and this trend may be a result of weather conditions over the past two years.

Street Cleansing

- 2.8 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 who conduct both programmed and complaint led inspections, grading streets accordingly.

- 2.9 In addition, the Government required additional inspections to be conducted against specific criteria and these were used to calculate statutory Best Value Performance Indicator BV199. This was introduced in 2004. From 2008 this was replaced by a new national indicator NI 195, however, the method of calculation is similar and comparison can therefore be made with previous years' performance. From April 2011, this is no longer a Government required indicator, however based on the decision by the Executive Committee in March 2011 these inspections will continue in this format as a local performance indicator to track service standards.
- 2.10 This indicator is based upon sample surveys conducted three times a year, totalling 900 inspections. The format and sample size were determined by Government. It calculates the percentage of inspections which identify significant levels of litter and detritus (road dirt). The lower the percentage, the higher the performance. East Herts performance against this indicator was 3% for litter and 7% for detritus in 2009/10. In 2010/11, litter fell to 1% but detritus rose to 10%. East Herts has a very low level of litter problems compared to many local authority areas and the low percentages reflect this. The changes between the two years largely reflect changes in the areas sampled and are not significant. For example, there are more 'un-kerbed' rural roads included in the 2010/11 sample. Landslip from banks and verges following heavy rain tends to result in more detritus in these roads than on highways with kerbs and pavements.
- 2.11 There were 719 complaints in 2010/11 compared with 857 in 2009/10 – a decrease of 19% (See Essential Reference Paper 'B'). There were litter problems on some high speed roads in January 2010 following the heavy snow fall. Weather conditions last winter were much less severe.
- 2.12 The number of recorded fly tips increased by 25% from 2009/10 to 2010/11, this however is a result of improvements to the contractors recording methods for smaller fly tips (e.g. one black sack). By recording all of these smaller flytips (which they would remove as part of their normal street cleansing activities) officers are able to more effectively monitor all forms of fly tipping. The breakdown of fly tips by type reflects this improved method of recording as larger fly tips have actually fallen by 2% on 2009/10 figures. This means the increased number are of smaller fly tips

only. Efforts to tackle waste related environmental crime continue and East Herts has joined a partnership with the Police, Environment Agency and other Hertfordshire Districts to tackle commercial fly tipping through joint intelligence and enforcement action.

2.13 In the last 12 months, the service has also undertaken the following initiatives connected to environment management:

- Tackling dog fouling through a media and enforcement campaign. This included raising awareness of the problems and penalties via posters in key sites such as veterinary surgeries plus additional signage to highlight this anti-social behaviour. The publicity also encouraged residents to help the Council by identifying perpetrators and additional, targeted patrols were carried out by Environmental Inspectors.
- Ensuring that website information is available to both the public and industry was consistent across councils in Hertfordshire.
- Continuing to identify sites where waste is habitually dumped as 'hotspots' and surveys carried out to identify solutions such as signage, physical restrictions, or increasing site surveillance.
- 3 vehicle 'stop and search' events in association with the Police and other enforcement agencies, two of which were in Buntingford as part of 'Operation Agrarian'. The objective was to discourage the illegal transport of waste, which is often associated with fly tipping. In addition to the deterrent benefits, two formal warnings were given and one Fixed Penalty Notice (FPN) issued.
- In 2010/11, 1 person was prosecuted for fly tipping; a £50 fine was given with £500 costs added. A further 6 people received FPNs for other offences.
- A further 117 offences were investigated (giving a total 124 including those where an FPN was the result), 40 more than the same period the year before. The following offences were investigated in 2010/11.

40 Fly tipping offences

40 Waste offences

4 Litter offences

5 Graffiti and Fly posting

21 Dog Fouling

11 issuing of free literature without permission

2 tree offences

1 other

- 2.14 Waste offences (contamination of recycling containers and side waste) are also monitored. This is necessary to maintain the quality 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 advisory letters and then warnings if advice is not taken following their first 'offence' (if this occurs within a 6 month period). In 2010/11 - 1725 letters were sent to people for their second offence, 313 letters were sent following a third offence and 19 letters were sent following a fourth offence. Only 1 section 46 notice has been issued - for persistent contamination of the brown bin. Under section 46 of the Environmental Protection Act 1990 the Council has powers to serve a notice on the occupier of a property to ensure that recycling or refuse is placed for collection in receptacles of a kind and number specified, or in a particular location at a particular time. Failure to comply with such a notice can lead to Court action or a Fixed Penalty Notice being issued.
- 2.15 Working with property owners, the Police and the Probation Service, a pilot graffiti cleanup initiative was undertaken in Hertford. This involved using the 'community payback scheme' where adult offenders undertook graffiti removal at targeted locations. Over 40 sites were targeted including locations at Hartham common, Pinehurst and Sele Farm estates.
- 2.16 The service is continuing to undertake Environmental Crime road shows to raise awareness about these issues and the associated penalties. Events in 2010/11 included:
- King George Road event in July
 - Southern Country Park in July for Love Parks Week

Abandoned Vehicles

- 2.17 Abandoned vehicles are removed under a county wide consortium contract managed through the Hertfordshire Waste Partnership. The 5 year contract commenced in 2008. Local Performance Indicator LPI 218b measures the percentage of abandoned vehicles collected within 24 hours of the contractor being notified. In 2010/11, performance was 98.45% against a target of 96%. Vehicle removals in East Herts remain very low (under 2 on average each month). The number fell from 20 vehicles collected in 2009/10 to 14 in 2010/11.

Grounds Maintenance

- 2.18 The grounds maintenance contract with John O'Conner (GM) Ltd has now been in place for three years. Performance in 2010/11 has generally been very good.
- 2.19 The overall level of validated complaints rose by 2% in 2010/11 compared 2009/10 however this was still 65% lower than 2008/09.
- 2.20 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 59% from 2009/10 to 2010/11. However, these were largely resolved within the set target periods. The level of Defaults where Rectifications have not been resolved satisfactorily or where the breach has been more serious has remained extremely low with the overall number remaining stable over both years at 2 issued in each (See Essential Reference Paper 'B').
- 2.21 The increase in Rectifications over the previous year was due to exceptionally wet weather in July/August, impacting on grass cutting and the introduction of a new weed control treatment system (Total Droplet Control) for health and safety and environmental reasons. This was not as effective as expected in its first year of use but issues have now been resolved.
- 2.22 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 near faultless performance in these areas of 2% for 2008 and 2009, the result for 2010 was less than 1%.
- 2.23 In addition, considerable improvements have been implemented to ensure that the contract achieves a consistently high standard. The following elements are now being used:-
- An improved program of works for the whole year which ensures that all tasks are carried out at the correct time of year taking into account seasonal variations and customer requirements.

- Sensory equipment (Tiltmasters) has been installed on every grass cutting machine to measure gradients ensuring that staff are operating safely when cutting banks and slopes.
- The contract supervisors and operatives meet on a regular basis throughout the year with the Council's Area Environmental Inspectors to discuss performance and operational issues.
- Play inspections continue to be managed electronically with hand held computers and a data base that streamlines response times and record keeping between the contractor and the Council.
- Council officers take an active part in the contractors' periodic audits that cover health and safety, quality and environmental management systems.
- The contractor continues to operate seasonal hours for their staff (longer hours in summer and shorter hours in winter) providing a more efficient use of resources.
- The contractors' shrub manual is used to identify the precise types and quantity of shrubs in beds across the district and their specific horticultural needs.
- The continuation of Total Droplet Control, a herbicide treatment utilising a more efficient, light weight application method via an electronic system which controls dosage enabling greater accuracy.
- The contractor has provided all staff with the opportunity to take NVQ level 2 qualifications.
- 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 in May 2011, (following the large scale improvement works carried out at both sites utilising external funding).

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

Refuse, Recycling and Street Cleansing Contract (Report to the Executive - 1 December 2010).

Refuse, Recycling And Street Cleansing Contract Design - Report By Chair Of The Refuse Contract Task And Finish Group (Environment Scrutiny Committee – 16 March 2010; Executive 11 May 2010).

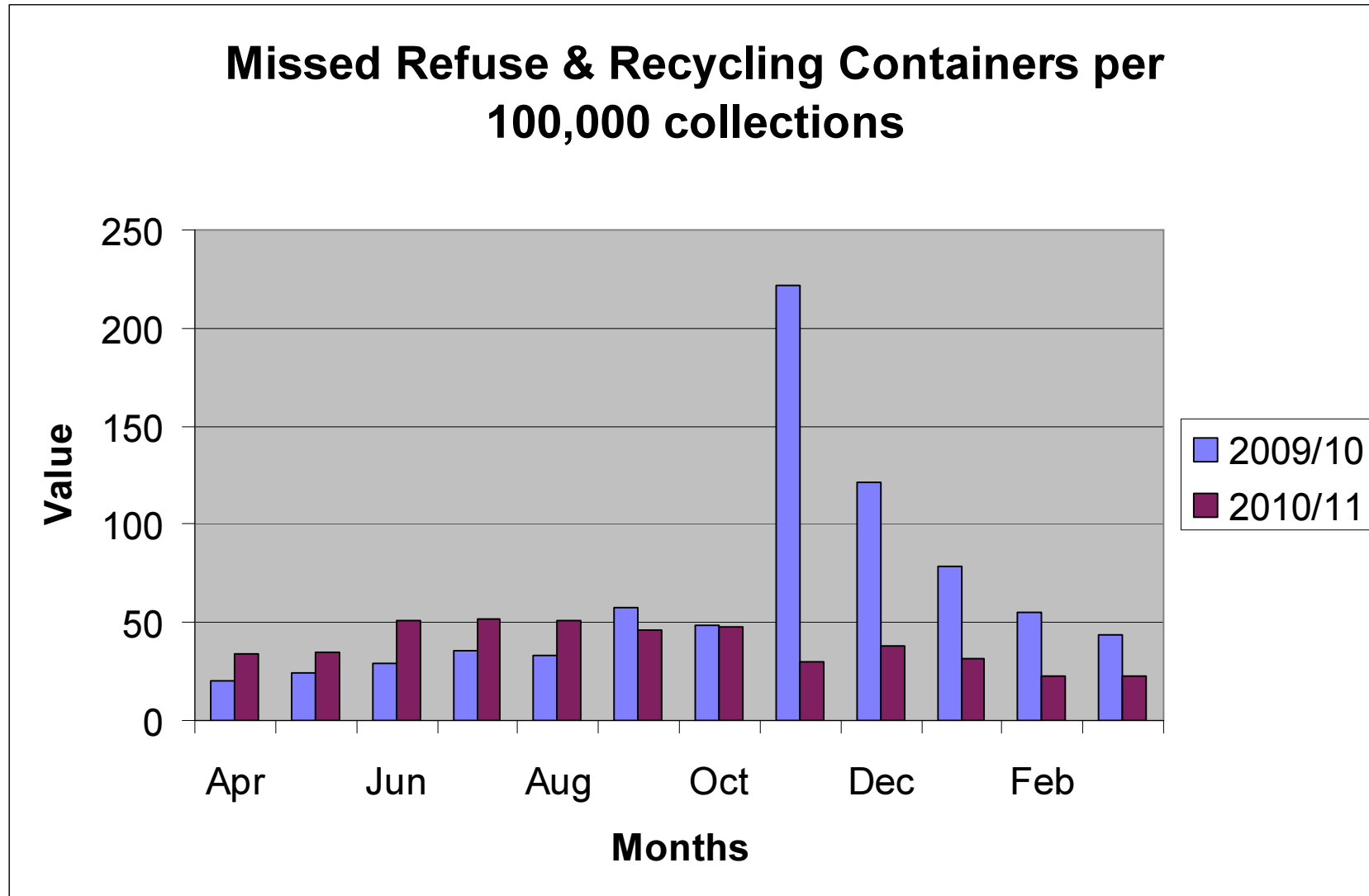
Contact Member: Malcolm Alexander – Executive Member for
Community Safety and Environment.

Contact Officer: Cliff Cardoza, Head of Environmental Services, Extn:
1698.

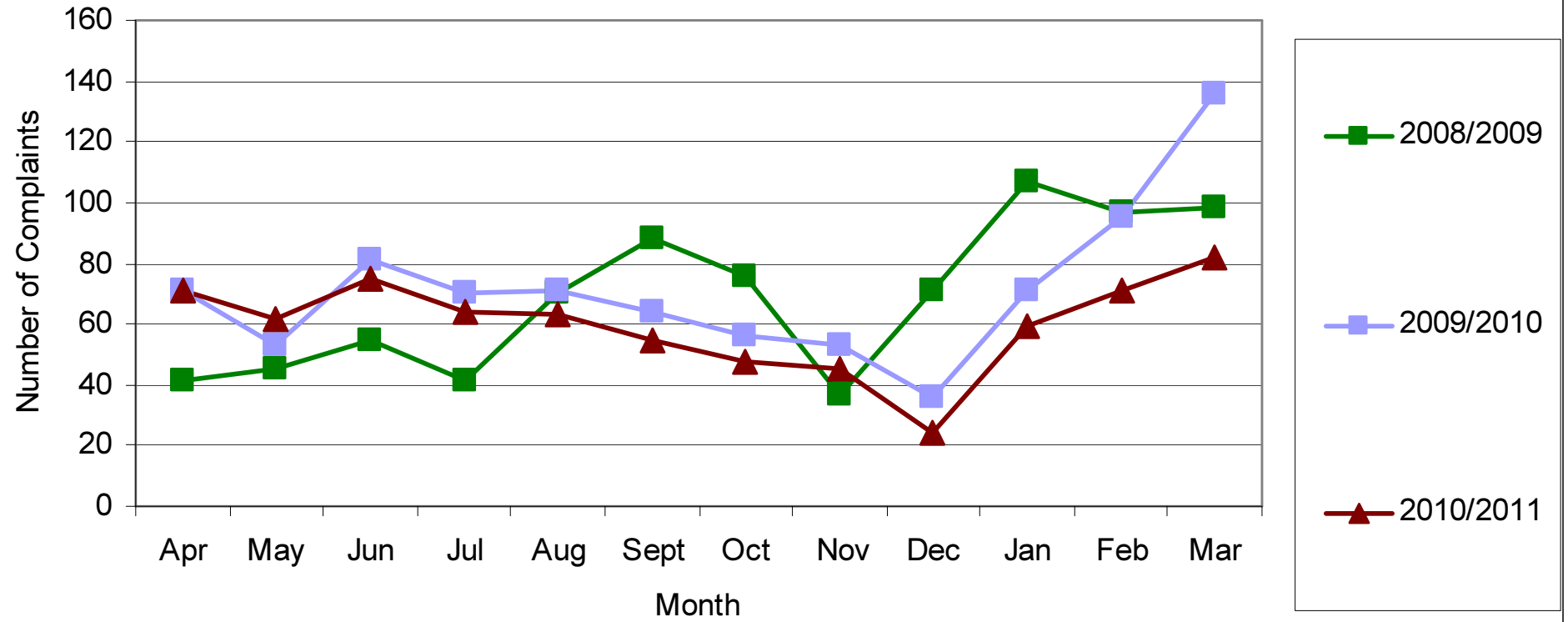
Report Author: Louise Overington, Assistant Waste Services
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ESSENTIAL REFERENCE PAPER 'A'

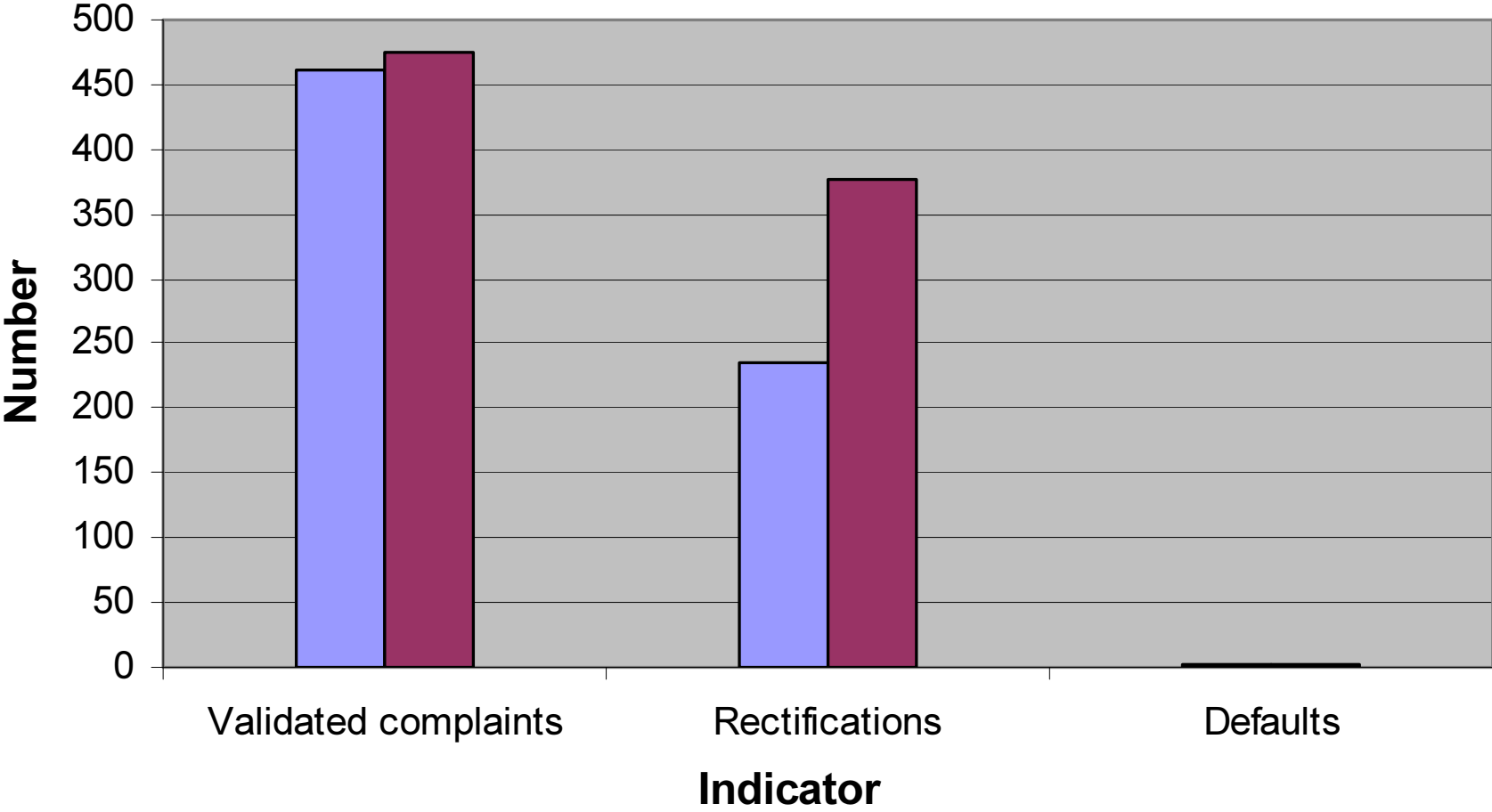
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| Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i> | Pride in East Herts <i>Improve standards of the neighbourhood and environmental management in our towns and villages.</i> Caring about what's built and where <i>Care for and improve our natural and built environment.</i> |
| Consultation: | None for this report specifically. Consultation with local residents and park users is undertaken for all major open space developments. Public satisfaction surveys are undertaken bi-annually on a corporate basis. The next survey is due in Autumn 2011. |
| Legal: | None for this report |
| Financial: | None for this report |
| Human Resource: | None for this report |
| Risk Management: | None for this report. The services described in the report are important to residents and impact directly on the Council's reputation and financial viability. Accordingly they are subject to extensive performance inspection and monitoring. |



Street Cleansing Complaints Comparison



Grounds Performance Comparison



2009/10 2010/11