

## CABINET

<b>Date of Meeting</b>	Tuesday, 20 <sup>th</sup> December 2022
<b>Report Subject</b>	Review of Vehicle Permit Criteria for Household Recycling Centres
<b>Cabinet Member</b>	Deputy Leader of the Council and Cabinet Member for Streetscene and Regional Transport Strategy
<b>Report Author</b>	Chief Officer, Streetscene and Transportation
<b>Type of Report</b>	Strategic

### EXECUTIVE SUMMARY

In September 2021, following two all-member seminars, a number of recommendations were presented to Cabinet on changes to be made to the current waste strategy in order for the Council to achieve 70% recycling by 2024-2025.

One recommendation within that report was to review the Household Recycling Centre (HRC) vehicle permit criteria in order to make it clearer to service users what types and sizes of vehicles should or should not be issued a permit and to ensure that traders did not take advantage of the system.

The recommendations were approved by Cabinet; however, a further report was requested to give further clarity on what the changes would be and how those changes would be implemented and communicated to service users. Subsequently, a further report was presented to Cabinet in January 2022 proposing a revised vehicle permit policy with details of how it would be implemented. The revised policy was approved and subsequently implemented in April 2022.

Post-implementation and in response to a small number of complaints received from residents who were no longer permitted to access the HRCs with their vehicles, a commitment was given to undertake a review of the policy to ensure that that it met the original objectives set out and review whether the criteria needed further amendment.

This report provides an overview of the impact of the revised policy along with details of the review undertaken and proposals for amending the policy. Further considerations are also presented on the broader operations for HRCs with a view to introducing further service improvements and efficiencies.

### RECOMMENDATIONS

1	That Informal Cabinet supports the review undertaken and endorses the proposed amendments to the Vehicle Permit Policy for Household Recycling Centres.
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2	That Informal Cabinet supports the proposed amendment to the Vehicle Permit Policy to introduce an annual permit (allowing a maximum of 12 visits) to allow certain sign written vehicles access the Household Recycling Centres on condition that the vehicle is registered to a Flintshire residential address for council tax; the trade is not associated with any trade waste; the waste deposited at the HRC has not been or is unlikely to have been produced by the activity of that business or associated business; and the only waste presented at the HRC is domestic household waste.
3	That Informal Cabinet supports and endorses the inclusion of tyres as an additional waste stream in the HRC booking system in order to ensure waste minimisation and control.
4	That Informal Cabinet supports and endorses the additional proposals to improve HRC operational controls and notes that the proposed extension to opening times will need to be reviewed in light of existing and future budgets and resources.

## **REPORT DETAILS**

<b>1.00</b>	<b>EXPLAINING THE BACKGROUND FOR THE VEHICLE PERMIT POLICY REVIEW AND PRESENTING FURTHER CONSIDERATIONS TO IMPROVE HOUSEHOLD RECYCLING CENTRE OPERATIONS</b>
1.01	<p>The five Household Recycling Centres (HRCs) are provided for householders to dispose of household waste safely and conveniently, as well as encouraging increased participation in recycling. However, some traders have been found to use the HRCs to illegally dispose of their waste, which in turn increases the disposal costs to the authority and reduces recycling. Additionally, it has been highlighted that, when challenged by site staff, some customers can become threatening or abusive and retaliate with violence. Unauthorised use of the centres by traders also leads to safety issues associated with larger vehicles and adds to waiting times for other legitimate users of the HRCs.</p> <p>Most, if not all, councils operate some form of restrictions policy, which may include height barriers, van and trailer bans, and weight restrictions or permit systems to control access to their HRCs. In Flintshire, a permit system is in place, which is deemed to be the fairest way to ensure controlled access to our HRC and ensure that residents can use their own vehicles to visit the sites, whilst deterring unlawful use by traders.</p> <p>Many of these schemes have proven successful in their aims and this has become increasingly important as the cost of waste treatment and disposal continues to rise and the temptation for traders to misuse household waste facilities increases.</p>
1.02	Trade waste is a challenging area to control and police, as a lot of trade / commercial waste or waste produced by businesses is very similar in nature to household waste; for example, waste from gardeners and independent trade people. Trade waste is difficult to distinguish from legitimate waste produced from householders, but it is more likely to be delivered via a trade or commercial type of vehicle. The focus of the review of the vehicle permit policy is to tackle trade waste abuse.

	<p>The Council's HRCs are not permitted to accept trade, commercial or business waste, which can be defined as any waste that comes from a commercial activity. If you use part of your home to run your business, then any waste from that part is business waste. Business waste also includes any waste that comes from construction, demolition, industry and agriculture.</p>
1.03	<p>In September 2021, following two all-member seminars, a number of recommendations were presented to Cabinet on changes to be made to the current waste strategy in order for the Council to achieve 70% recycling by 2024-2025. The Council's waste strategy is to re-use, recycle and compost as much recoverable waste as is practicable at our HRCs, which is in line with the Welsh Government Blueprint.</p>
1.04	<p>One of the recommendations made in the seminars was to revisit the current household recycling centre (HRC) vehicle permit scheme criteria. At the seminars, members had expressed concern that the current vehicle permit criteria were not clear enough and could be left to interpretation, which could create confusion for service users.</p> <p>At the time, it had also been highlighted by our HRC staff that the existing permitting system unintentionally allowed traders and commercial businesses to exploit the system and bring in trade waste streams, which we are not permitted to accept. When questioned or challenged by our site staff, some of these customers became abusive and violent leading to unpleasant working environments.</p>
1.05	<p>In the report presented to Cabinet in September 2021, it was proposed that the vehicle permitting criteria should be reviewed in order to make it clearer to service users what types and sizes of vehicles should or should not be issued a permit and to ensure that traders did not take advantage of the system.</p> <p>It was also proposed that some flexibility be allowed for those vehicles that were registered to a business to be allowed access to deliver waste, if it was clear that the waste had not been produced by that company or providing that the waste did not emanate from the activities of that business. For example, allowing a vehicle registered to a plumber to dispose of household garden waste.</p>
1.06	<p>Following consultation with elected members and with site operational staff, back office support staff and management, a further report was presented to Cabinet in January 2022, providing comprehensive detail on what the revised vehicle permit policy would be and how it would be implemented. The revised policy was approved and subsequently implemented in April 2022.</p> <p>Prior to introducing the policy, a communications plan was developed to ensure that all services users were made aware of the proposed changes and could make their application for a permit in a timely manner.</p> <p>The communications plan included, but was not limited to, updated website information, social media and Gov .delivery campaigns, briefings to members, as well as posters and leaflets distributed at all HRC sites.</p>
1.07	<p>Since March 2022, almost 2,000 applications for a vehicle permit have been received by the service.</p>

	<p>Of those, fewer than 300 applications have been refused due to the vehicle not complying with the new policy.</p> <p>Approximately 100 residents subsequently appealed the refusal; however only several of those appeals have been successful.</p>																						
1.08	<p>The table below details the main reasons for permits being refused and note that some applicants were refused due to not satisfying multiple criteria: -</p> <table border="1" data-bbox="288 427 1396 880"> <thead> <tr> <th data-bbox="288 427 1225 472">Reason for Permit Refusal</th> <th data-bbox="1225 427 1396 472">Nos.</th> </tr> </thead> <tbody> <tr> <td data-bbox="288 472 1225 510">Vehicle Oversized (Height/LWB)</td> <td data-bbox="1225 472 1396 510">69</td> </tr> <tr> <td data-bbox="288 510 1225 548">Documents provided did not match (different addresses)</td> <td data-bbox="1225 510 1396 548">61</td> </tr> <tr> <td data-bbox="288 548 1225 586">Vehicle registered to a business</td> <td data-bbox="1225 548 1396 586">45</td> </tr> <tr> <td data-bbox="288 586 1225 624">Vehicle is used for business/trade purposes</td> <td data-bbox="1225 586 1396 624">46</td> </tr> <tr> <td data-bbox="288 624 1225 663">The trailer has caged sides / boxed trailer</td> <td data-bbox="1225 624 1396 663">42</td> </tr> <tr> <td data-bbox="288 663 1225 701">The trailer is over 2m in length</td> <td data-bbox="1225 663 1396 701">24</td> </tr> <tr> <td data-bbox="288 701 1225 739">The vehicle is sign written</td> <td data-bbox="1225 701 1396 739">12</td> </tr> <tr> <td data-bbox="288 739 1225 777">The applicant is not a Flintshire resident</td> <td data-bbox="1225 739 1396 777">1</td> </tr> <tr> <td data-bbox="288 777 1225 815">The documents provided were not current (over 12 months old)</td> <td data-bbox="1225 777 1396 815">1</td> </tr> <tr> <td data-bbox="288 815 1225 880">The applicant's driving licence had expired*</td> <td data-bbox="1225 815 1396 880">2</td> </tr> </tbody> </table> <p><i>*Note: whilst two applicants have been refused a permit due to expired driving licences, almost 20% of applications were initially received with an expired driving licence as evidence. The assessment team responded to the applicants to inform them, at which time they renewed and resubmitted the document.</i></p>	Reason for Permit Refusal	Nos.	Vehicle Oversized (Height/LWB)	69	Documents provided did not match (different addresses)	61	Vehicle registered to a business	45	Vehicle is used for business/trade purposes	46	The trailer has caged sides / boxed trailer	42	The trailer is over 2m in length	24	The vehicle is sign written	12	The applicant is not a Flintshire resident	1	The documents provided were not current (over 12 months old)	1	The applicant's driving licence had expired*	2
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1.09	<p>For those small number of applicants who were not eligible for a permit under the revised criteria, it has created a negative response to the service with many local members and MPs/MSs contacting officers to request that the policy be relaxed.</p> <p>In response to this, the Leader of the Council and Deputy Leader of the Council and Cabinet Member for Streetscene and Regional Transport Strategy committed to undertake a further review of the policy so that members could provide officers with feedback and raise their concerns. As a result, two all member workshops were held on 26<sup>th</sup> September 2022 in a hybrid format.</p>																						
1.10	<p>The workshops were well attended with approximately 30 members present over the two sessions. To enable an inclusive and comprehensive review, the workshops were attended by officers from across the service, such as HRC site staff, supervisors, enforcement officers and recycling, data and compliance officers.</p> <p>To ensure that maximum benefit was achieved at the workshops, the review was extended to include the wider HRC site operations with a view to introducing further service improvements and efficiencies, and maximising the opportunities for recycling. Details of the content of those workshops are shown in <b>Appendix 1</b>.</p> <p>The workshops were delivered in two parts: firstly a presentation provided by officers to give an overview of HRC operations, the legislative background, current policy and procedures, as well as an update of the impact that the vehicle permit policy has had since its implementation in April 2022.</p>																						

	<p>The second part allowed members to provide their feedback on the vehicle permit policy and experiences from residents, ask questions and offer suggestions for increasing recycling levels at the HRCs or for improving operations. A copy of the slide deck presented to members at the workshop is detailed in <b>Appendix 2</b>. Additionally, members were invited to complete feedback forms following the workshops with any further comments that they may have wished to register.</p>
1.11	<p><b>Vehicle Permit Policy Review</b></p> <p>Following evaluation of the feedback provided at the workshops and subsequent feedback forms following conclusion of the session, the following proposals are presented for consideration: -</p> <p><b>Appendix 3</b> details the comments received by members, the associated considerations to be reviewed and, following appraisal of the advantages and disadvantages of those considerations, a proposed outcome for each comment.</p> <p>The proposed outcomes have been written into a revised policy document for consideration. The amendments and new clauses for inclusion in the policy have been highlighted in red text for ease of review - please see <b>Appendix 4</b>.</p> <p>If the proposed amendments to the vehicle permit policy were to be adopted, all the refused permit applications and appeals would be reassessed for eligibility against the revised criteria.</p>
1.12	<p>Following review at the Environment and Economy Overview and Scrutiny Committee, members raised concerns that the restriction of not allowing some sign written vehicles a permit to access the HRCs was too restrictive, particularly when the sign written vehicle was the sole means of transport in a household or when someone has utilised their personal vehicle to advertise a business.</p> <p>The restriction on sign written vehicles accessing the HRCs has been in place since 2005 with the prohibition of any sign written vehicle being allowed a permit to utilise the sites based on the fact that the vehicle could then be used to dispose of business/trade waste.</p> <p>At the Scrutiny Committee meeting, members expressed concerns around the reason for refusing vehicles with sign writing with specifically associated trade waste and members commented that the policy did not include anything not associated with trade waste. Members asked that consideration be given for an exemption for residents with sign written vehicles not associated with business, not producing trade waste, and where the vehicle was assigned to a residential property which was subject to council tax and asked that the policy be amended to reflect those circumstances.</p> <p>Members proposed that the policy be amended to allow residents who had a sign written vehicle and were not associated with a building trade and were promoting their business for the benefit of the community, but not producing trade waste, be allowed a permit. Members requested that a two-tiered system be introduced so that sign written vehicles could be issued with a permit, if it was determined that the associated business would not produce trade/commercial/business waste and that the waste is from their own home and not a business activity.</p>

1.13	<p>In response, it is proposed that a change to policy is introduced, allowing certain sign written vehicles an annual permit (allowing a maximum of 12 visits), on condition that:</p> <ul style="list-style-type: none"> <li>• the vehicle is registered to a Flintshire residential address for council tax;</li> <li>• the trade is not associated with any trade waste</li> <li>• the waste deposited at the HRC has not been or is unlikely to have been produced by the activity of that business or associated business;</li> <li>• the only waste presented at the HRC is domestic household waste</li> </ul> <p>The new annual permit would be available for Flintshire residents only and only one permit will be issued per household. Permits issued apply to a vehicle at a specific Flintshire address and not the waste. Therefore, even with a permit, HRC site staff can still turn away anybody suspected of bringing in waste of a commercial nature or waste related to the business of the sign written vehicle. If this does occur then the permit will be withdrawn from the resident as the terms and conditions of its issue will have been breached. Householders will not be permitted to use a permit to bring in any waste that relates to the business activity for which the vehicle is normally used.</p> <p>For the avoidance of doubt, for example, if the vehicle was predominantly used for grass cutting or gardening services, the site would not be able to accept any grass cuttings or garden waste or if the vehicle was predominantly used for a plumbing business, the site would not be able to accept plumbing related waste, however small amounts of other household waste (in compliance with the Policy) would be accepted.</p>
1.14	<p><b>Booking System</b></p> <p>At the workshops, members acknowledged the benefits of the booking system; however, it was highlighted that the provision required improved publicity, as not all residents were aware of the process.</p> <p>As a result, it is proposed that another promotional campaign will be undertaken and improved signage at the HRC sites will be implemented to raise awareness.</p> <p>Due to the success of the booking system in ensuring that container availability is maintained, it is also proposed that tyres will be added to the waste streams requiring pre-booking. <b>Appendix 5</b> details the proposed criteria for tyre disposal.</p>
1.15	<p><b>Charging for Disposal of Waste - Trader/Businesses/Charities</b></p> <p>It is becoming more common for local authorities to charge for the disposal of bulky/heavy waste items received at HRC sites, such as wood or soil and rubble. Not all members supported this proposal and others supported the provision of a chargeable service for the disposal of waste by businesses and trades. It is proposed that the options for charging for disposal of certain waste streams should be explored further to establish the cost and benefit of providing such a service, whilst taking into account any legislative requirements. A further report will be presented to Cabinet once this has taken place.</p>
1.16	<p><b>Alternative Opening Hours</b></p> <p>Currently, all five HRCs open between the hours of 9am and 5pm seven days a week. It has been acknowledged that these opening times can be quite restrictive, especially for those residents who work during these hours.</p>

	<p>Members were generally supportive of extending opening times to allow for more opportunity for residents to attend site at more convenient times. To facilitate this there would be a requirement to adjust the site operatives working times from a 7.4-hour day, five day working pattern, to a 9.25 hour day, four day working pattern (over 7 days).</p> <p>Options are being explored to extend the opening times e.g. 8am-5.30pm; however, this will be subject to consultation with the trade unions and workforce, and the decision to move to a revised shift pattern and a longer working day will need to be reviewed in light of existing and future budgets and resources.</p>
1.17	<p><b>Bagging and Charging for Soil Conditioner</b> Members commented that charging for soil conditioner produced from the composting of the Council's collected garden waste would only be possible if the quality of the product was of a high standard and if the charge did not eliminate competition in the market for local businesses.</p>
1.18	<p><b>Implementation</b> Subject to approval by Cabinet, it is intended that the new policy will come into effect from 1<sup>st</sup> April 2023 to coincide with the implementation of the body cameras for the HRC sites and allow for existing applications to be reassessed.</p>

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	ICT services support and assistance will be required to expand the back office booking system.
2.02	It is likely that an extension to the opening times of HRC sites will require additional resources and this will need to be assessed in light of available budgets and the medium term financial strategy.

<b>3.00</b>	<b>IMPACT ASSESSMENT AND RISK MANAGEMENT</b>										
3.01	<p><b>Ways of Working (Sustainable Development) Principles Impact</b></p> <table border="1"> <tr> <td>Long-term</td> <td>The proposals will drive improvements to recycling performance and achieving a Circular Economy.</td> </tr> <tr> <td>Prevention</td> <td>The proposals will help prevent the unauthorised disposal of waste and recyclable materials</td> </tr> <tr> <td>Integration</td> <td>No impact</td> </tr> <tr> <td>Collaboration</td> <td>No impact</td> </tr> <tr> <td>Involvement</td> <td>Improved engagement with Flintshire business to ensure they understand their legislative responsibilities</td> </tr> </table>	Long-term	The proposals will drive improvements to recycling performance and achieving a Circular Economy.	Prevention	The proposals will help prevent the unauthorised disposal of waste and recyclable materials	Integration	No impact	Collaboration	No impact	Involvement	Improved engagement with Flintshire business to ensure they understand their legislative responsibilities
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3.02	<p><b>Well-being Goals Impact</b></p> <table border="1" data-bbox="284 174 1412 768"> <tr> <td data-bbox="284 174 635 282">Prosperous Wales</td> <td data-bbox="635 174 1412 282">Positive – improving reuse and recycling of recycling materials resulting in world leaders in recycling performance</td> </tr> <tr> <td data-bbox="284 282 635 356">Resilient Wales</td> <td data-bbox="635 282 1412 356">Positive – Less demand for raw materials, promoting circular economy</td> </tr> <tr> <td data-bbox="284 356 635 470">Healthier Wales</td> <td data-bbox="635 356 1412 470">Positive – reducing vehicle movements and emissions and allowing for the responsible management of controlled waste</td> </tr> <tr> <td data-bbox="284 470 635 508">More equal Wales</td> <td data-bbox="635 470 1412 508">No impact</td> </tr> <tr> <td data-bbox="284 508 635 546">Cohesive Wales</td> <td data-bbox="635 508 1412 546">No impact</td> </tr> <tr> <td data-bbox="284 546 635 620">Vibrant Wales</td> <td data-bbox="635 546 1412 620">Positive – Promoting reuse and recycling of waste, and working towards carbon reduction</td> </tr> <tr> <td data-bbox="284 620 635 768">Globally responsible Wales</td> <td data-bbox="635 620 1412 768">Reducing the reliance on the extraction of raw materials and destruction of natural habitats and ecosystems by the reprocessing of recyclable materials.</td> </tr> </table>	Prosperous Wales	Positive – improving reuse and recycling of recycling materials resulting in world leaders in recycling performance	Resilient Wales	Positive – Less demand for raw materials, promoting circular economy	Healthier Wales	Positive – reducing vehicle movements and emissions and allowing for the responsible management of controlled waste	More equal Wales	No impact	Cohesive Wales	No impact	Vibrant Wales	Positive – Promoting reuse and recycling of waste, and working towards carbon reduction	Globally responsible Wales	Reducing the reliance on the extraction of raw materials and destruction of natural habitats and ecosystems by the reprocessing of recyclable materials.
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3.03	The vehicle permit scheme can be a very emotive topic and any changes can result in negative feedback from service users. A clear communications plan will be developed to control the distribution of any revisions to policy, including improved on site signage.														
3.04	If the revisions to policy are adopted, previously refused applications and appeals will be reassessed for eligibility against the new scheme criteria.														
3.05	The level of abuse and threats of violence to HRC staff has been highlighted previously and raised as an ongoing concern for some time. The site staff will soon be presented with new body worn CCTV cameras to wear for recording and reporting any incidents.														
3.06	Providing and retaining a clear and well-defined permit criteria will support the site staff in managing non-conforming waste arriving at the site.														
3.07	<p>Control of the vehicles utilising the sites will allow for better, easier access for Flintshire residents as large vehicles, which can take up to an hour to off-load their waste, will be prohibited.</p> <p>The HRCs have vehicle size restrictions in place due to the conditions of the Environmental Permit, traffic management and capacity on site, health and safety and to control trade waste abuse.</p>														
3.08	The booking system will notify residents when there is container availability, so that they do not bring their waste to site when containers are full and avoid wasted journeys.														
3.09	The risk to the authority is reduced by eliminating trade/business vehicles from the sites, as the current Environmental Permit does not allow for trade/business waste to be accepted at HRCs. It also eliminates the risk of rogue traders, who should not be transporting commercial waste without a valid waste carriers licence, waste transfer note or waste permit.														



3.10	<p>As part of their waste duty of care, businesses must classify the waste that their business produces:</p> <ul style="list-style-type: none"> <li>• before it is collected, disposed of or recovered</li> <li>• to identify the controls that apply to the movement of the waste</li> <li>• to complete waste documents and records</li> <li>• to identify suitably authorised waste management options</li> <li>• to prevent harm to people and the environment</li> </ul> <p>Further details about the waste duty of care can be found online at:  <a href="https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/waste-duty-of-care/?lang=en">https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/waste-duty-of-care/?lang=en</a></p>
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<b>4.00</b>	<b>CONSULTATIONS REQUIRED/CARRIED OUT</b>
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4.01	Deputy Leader of the Council and Cabinet Member for Streetscene and Regional Transport Strategy.
4.02	Elected Members - Two workshops held on 26 September 2022.
4.03	Environment and Economy Overview and Scrutiny Committee.
4.04	Streetscene workforce and waste strategy team.
4.05	Trade Unions.

<b>5.00</b>	<b>APPENDICES</b>
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5.01	<b>Appendix 1</b> – Workshop Agenda
5.02	<b>Appendix 2</b> – Workshop Presentation
5.03	<b>Appendix 3</b> – Members Comments and Policy Recommendations
5.04	<b>Appendix 4</b> – Vehicle Permit Policy Suggested Revisions
5.06	<b>Appendix 5</b> – Booking Criteria for Tyres

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
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6.01	<a href="#">Target 70 A Review of Flintshire County Councils Waste Strategy.pdf</a>
6.02	<a href="#">Household Recycling Centre Vehicle Permit Criteria</a>

<b>7.00</b>	<b>CONTACT OFFICER DETAILS</b>
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7.01	<p><b>Contact Officer:</b> Ruth Tulley, Regulatory Services Manager  <b>Telephone:</b> 01352 704796  <b>E-mail:</b> <a href="mailto:ruth.tulley@flintshire.gov.uk">ruth.tulley@flintshire.gov.uk</a></p>
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<b>8.00</b>	<b>GLOSSARY OF TERMS</b>
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8.01	<b>Household waste</b> and non-household waste are defined in the Environmental Protection Act 1990 and the Controlled Waste (England and Wales) Regulations 2012.
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