

<b>Subject:</b>	<b>Permission to Consult on Extension of Communal Refuse and Recycling Collections</b>		
<b>Date of Meeting:</b>	<b>15 March 2016</b>		
<b>Report of:</b>	<b>Acting Executive Director of Environment Development and Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Jan Jonker</b>	<b>Tel: 29-4722</b>
	<b>Email:</b>	<b>jan.jonker@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>Brunswick &amp; Adelaide, Rottingdean Coastal, Westbourne, St Peters &amp; North Laine, Preston Park</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 Three Regency Squares along the sea front still have their refuse collected on a weekly basis from basement storage areas. Whilst this practice has been ongoing for many years and the associated risks have been managed, the council as an employer has a duty to minimise risks to employees as far as practicable.
- 1.2 This report seeks in principle agreement to the introduction of communal refuse collection in these areas, subject to consultation with residents on their locations and options to minimise visual impacts. The report also seeks permission to consult on communal recycling in these areas.
- 1.3 This report also seeks permission to consult streets which have kerbside black bag collections on the implementation of communal refuse and recycling collections.

**2. RECOMMENDATIONS:**

- 2.1 That the Committee notes that the existing collections from basement properties are considered to present a significant risk to staff which the council has a legal duty to minimise as far as reasonably practicable.
- 2.2 That the Committee agrees in principle to the introduction of communal refuse collection in Lewes Crescent, Sussex Square, Chichester Terrace, Arundel Terrace, Brunswick Square and Terrace and Palmeira Square and Adelaide Crescent
- 2.3 That the Committee approves consultation with the residents of Lewes Crescent, Sussex Square, Chichester Terrace, Arundel Terrace, Brunswick Square and Terrace and Palmeira Square and Adelaide Crescent on the potential locations of communal bins.

- 2.4 That the Committee approves consultation with the residents of Lewes Crescent, Sussex Square, Chichester Terrace, Arundel Terrace, Brunswick Square and Terrace and Palmeira Square and Adelaide Crescent on communal recycling.
- 2.5 That the Committee approves consultation with the residents of Westbourne Street (southern end) Beaconsfield Road and Viaduct Road on the implementation of communal refuse and recycling collection as an alternative to kerbside refuse and recycling collections

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 Communal containers for refuse and recycling collections have been introduced to most central parts of Brighton & Hove. The main reason for their introduction was to improve street cleanliness in areas of high density housing areas where many households do not have outside space to store and contain their waste.
- 3.2 Approval for the main roll out for communal refuse was granted in 2008 and the roll out of communal recycling was approved in July 2013. The schemes were informed by trials and extensive consultation. Prior to communal containers refuse was collected in sacks and recycling in boxes through kerbside collection. These traditional collection systems resulted in:
- Sacks being ripped open by seagulls and foxes even when they were put out on the correct collection day
  - Wind-blown litter from recycling boxes
- 3.3 Due to the number of Houses of Multiple Occupation (HMOs) and the lack of outside storage space wheelie bins were not a viable option in most of these areas. Communal containment realised many benefits including:
- Cleaner streets
  - Increased convenience for householders – not having to store refuse or recycling until collection day and being able to dispose of refuse and recycling little and often
  - Increased efficiency in collections and reduced manual handling
- 3.4 The roll out of communal containers to three main squares along the seafront (Palmeira, Brunswick and Sussex) and some adjacent streets and terraces, was deferred, with any future decision subject to further consultation. The reason for the deferral was to allow opportunities to minimise visual impact of the containers to be assessed. This report seeks in principle agreement to the roll out of communal refuse containers and permission to consult on the locations of communal bins in areas previously excluded, specifically:
- Lewes Crescent, Sussex Square, Chichester Terrace, Arundel Terrace
  - Brunswick Square and Terrace
  - Palmeira Square and Adelaide Crescent
  - Viaduct Road
  - Beaconsfield Road
  - Westbourne Street (Southern end)

3.5 Opportunities to minimise the visual impact of the bins will be explored.

### ***Sea Front Squares***

3.6 All of squares and some of the adjoining streets and terraces still receive a weekly black sack collection. Most of the properties in the squares have been converted to flats and refuse is stored in the basement areas (generally old coal stores). Crews manually collect the sacks from these areas carrying the rubbish up the stairs. The key hazards associated with this practice relate to Manual Handling, Personal Safety and Slips, Trips and Falls. This practice has been of concern for a number of reasons:

- The steps can be uneven and slippery
- Many of the bin stores are low and unlit and crews have to manually lift sacks which may be split. There is a risk of head injuries, needlestick / sharps injuries and risks associated with rats.
- It can also be unpleasant for basement properties to be adjacent to bin stores for the rest of the building.

3.7 The photographs in Appendix 1 show some the issues associated with basement collections.

3.8 The Council have a duty to ensure so far as reasonably practicable the health, safety and welfare of employees and others that could be affected by it's undertakings. In accordance with the Management of Health and Safety at Work Regulations 1999, risk assessments have been carried out which have identified the hazards detailed above. These regulations set out a clear hierarchy of risk control, which start with eliminating the hazard and where this is not possible substitute for a safer method ranging through a series of other considerations including adopting safe systems of work.

3.9 To date these hazards, which are classified as significant through the risk assessment process, have been managed as far as practicable with control measures, including extra staff on the round (the round consists of a driver and four loaders, compared to a crew of two on a communal collection vehicle) and appropriate Personal Protective Equipment. Fortunately there has only been one recorded accident which did require hospital attendance. As an employer the council has a duty to manage and review risks and whilst the situation has been managed for many years it does not feel it can allow the current practice to continue.

3.10 The alternatives to basement collections are either communal containment or kerbside black sack collections. Kerbside black sack collection is not considered to be a viable option as it would result in recurrence of problems with bags being ripped open by seagulls. Communal containers would eliminate all manual handling risks and bring these areas in line with most other parts of the city centre. In principle agreement to introduce communal refuse collection is sought because there is no other viable collection system which addresses the identified health and safety concerns.

3.11 Currently recycling is collected on the kerbside using black boxes as it is in more suburban areas. Whilst this does not present any significant concerns in terms of

collection, visual assessment of the amount of recycling placed out for collection indicates that participation rates are low. Permission is therefore also sought to consult on the introduction of communal recycling. The introduction of communal refuse collection would not be dependent on also introducing communal recycling.

3.12 If permission is granted all households will be sent a consultation document. Each area will have a bespoke document showing proposed bin locations. Officers have already met with some of the Resident Associations to seek their input in to the consultation document and proposed bin locations. Advice has been sought from the Council's Conservation Planning Officer and engagement will take place with the Conservation Advisory Group. The feedback from these consultees will help inform the final recommendations. The consultation will seek views as to how the visual impact of the containers might be minimised.

3.13 The possible outcomes to the consultation could be one of two options:

- Communal refuse and communal recycling are both implemented
- Communal refuse is implemented but kerbside recycling collections remain

3.14 The outcome of the consultation will be considered separately for each of the three areas.

#### ***Additional Streets to be Included in Consultation***

3.15 In addition to the squares discussed above, permission is sought to consult Beacons Field Road and Viaduct Road on the implementation of communal refuse and recycling collection.

3.16 These streets currently receive weekly kerbside refuse and recycling collections. Because most properties in these streets do not have space for wheelie bins refuse is collected in black bags which are frequently ripped open even if placed out on the right day. Communal containment would make the service easier for residents to use and would improve the cleanliness of the street.

3.17 The findings of the consultation will be analysed and presented back to committee together with recommendations for implementation.

#### ***Enforcement Activity***

3.18 The Council has recently awarded a contract to support Cityclean in waste enforcement activity. The enforcement work will include focus on illegal use of communal bins by businesses and fly-tipping around the bins. This work will further improve the service for residents in communal bin areas.

3.19 One of the aims of the increase in enforcement is to improve street cleanliness and the environment. This is another reason why a return to black sacks on the kerbside is not considered to be a viable option as this would result in dirtier streets.

#### ***Communal Bin Refurbishment***

3.20 In 2015/16 the council started a programme to refurbish and replace communal bins. This recurring revenue funding of £130,000 per year will help ensure bins

are maintained in a good condition, reducing their visual impact and improving the service.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The existing basement collection service from the sea front squares cannot continue for reasons outlined in this report. Black sack collections from the kerbside are not considered viable due to problems with bags being ripped open by seagulls. The problems with this collection service are the reason for the inclusion of Viaduct Road, Beaconsfield Road and the southern end of Westbourne Street. Wheelie bins are not an option due to the large number of Houses of Multiple Occupancy. For these reasons communal collection is considered to be the only viable option for the seafront squares.
- 4.2 If communal containers are introduced Cityclean will monitor them from the start to ensure they are used properly. Fly-tipping will be monitored on a daily basis. Residents who find it difficult to use the service will be offered an assisted collection.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The proposals for consultation are set out in the body of this report. Early discussions have taken place with ward councillors for the seafront squares and resident groups, to inform the consultation. The outcome of the formal consultation will be brought back to Committee with recommendations for implementation.

#### **6. CONCLUSION**

- 6.1 Communal refuse and recycling collections have been successfully introduced in many central parts of the city having a beneficial impact on street cleanliness and making the service easier to use.
- 6.2 The three seafront squares and adjacent streets and terraces were excluded during the initial roll out to allow options to minimise visual impacts of the bins to be assessed. Existing refuse collections from the basements of these properties is an ongoing health and safety concern which the council has a duty to address which is the main reason for the proposed consultation.
- 6.3 There are a number of other individual streets that could benefit from communal collection and it is proposed to consult on these separately.

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 7.1 The costs associated to the recommendations in this report will mostly consist of officer time and printing and postage of consultation documents. It is anticipated that costs will be minimal and will be funding from existing revenue budgets within the City Clean service. Any financial implications associated to the recommendations from the outcome of the consultation process will be analysed and reported to this Committee at a future date.

*Finance Officer Consulted: Steven Bedford*

*Date: 03/02/16*

Legal Implications:

- 7.2 The Council has powers to specify and provide the type of receptacles to be used for depositing waste for collection and may also require particular locations, including the highway, to be used. In carrying out consultation the Council is under a general duty to ensure that any consultation is fair. This means that it must be carried out when proposals are being formulated, that adequate time and information about the proposals must be given to consultees to ensure that they can provide a proper response, and that any consultation responses must be properly considered in reaching the decision

*Lawyer Consulted: Elizabeth Culbert*

*Date: 18/02/16*

Equalities Implications:

- 7.3 Any residents that are unable to easily access refuse or recycling collection services can apply for assisted collections. This would be the case whichever collection system is adopted as a result of the consultation.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Appendix 1 Photographs showing some of the hazards associated with basement collections