

Committee: Port Health and Environmental Services	Date: 4 July 2012
Subject: Time Banding Scheme Update	Public
Report of: Director of Built Environment	For Decision
<p><u>Summary</u></p> <p>This report is to update your Committee with regard to progress in the implementation of the Time Banding Scheme for bagged waste (sacks) & loose recycling (e.g. cardboard) since 1 April 2012.</p> <p>Following the January PHES Committee, at which formal approval was given to adopt the time banding scheme, preparations for implementation across the City took place. Letters of formal notification were sent out to 13,531 premises. This number was made up of: Businesses (7330), Residents (6126), Managing Agents (20), Voluntary Groups (44), Business Groups (6) and Resident Associations (5). From the 13,531 letters sent out 249 responses were received (1.84% of total sent out). In addition to the direct letters, the scheme was further publicised in a number of industry press magazines and e-publications such as the Chartered Institute of Waste Management.</p> <p>Records have been collated of responses. Of the 249 responses received only 23 (9%) required a visit by officers to provide further advice on compliance. When the 23 premises were visited it was found that 21 were able to comply immediately with the new regulations following advice from officers. Of the other 2, wheeled bin containers were provided within Castle Baynard Car Park to accommodate the needs of residents in the St Andrew's Hill area and at another location, St Bartholomew the Great; we have supplied a bin to be positioned within their grounds providing a 24 hour disposal facility.</p> <p>From 1st April, the scheme has been monitored very closely with the Street Environment Officer Team (SEO) recording 491 incidents of bags being left on the highway. The action taken by officers has been in line with routine enforcement protocols and has ranged from giving advice on the scheme to issuing formal notices and Fixed Penalty Notices (FPN). Success of the scheme can be judged by the general trend which shows a decreasing number of incidents being recorded by the Street Environment Officer team. This can be seen in Appendix 1. The FPN's that</p>	

have been issued were as a result of time banding monitoring and were issued to persistent repeat offenders.

In summary, to date, the scheme has been implemented smoothly and has made a positive impact. The City's streets are less cluttered with bags during the day, reducing the opportunity for loose waste to gather around them and resulting in an improvement to the Street Scene during the business day.

Recommendations:

It is recommended that this Committee:

- Receives this report for information and notes the progress to date.
- Agrees that an independent customer survey be undertaken before the end of the financial year of 2012/13

Main Report

Background

1. The introduction of the Time Banding Scheme for the collection of bagged waste (sacks) & loose recycling (e.g. cardboard) was planned for implementation from 1 April 2012.
2. The introduction of the scheme was conceived to improve the cleanliness and general appearance of the streets across the City of London during the periods of the day when our streets are most heavily used by businesses, visitors and residents. Accordingly, the following restrictions on placing waste on the highway for collection have been imposed and apply every day of the year:
 - Between the hours of 8am and 6pm businesses and residents are restricted from putting out bagged or loose waste.
 - Between the hours of 6pm and midnight bagged waste placed out for collection is restricted to being on the street for no longer than 2 hours; and
 - Between the hours of midnight through to 8am no restrictions apply on putting out waste for collection but it must be cleared by 8am.

The scheme has significantly improved the quality of the street scene and built environment of the City of London for businesses, visitors and residents. The scheme supports the 'World Class City' branding.

Official Notification to Properties.

3. Further to the report in January 2012, 13,531 official notification letters regarding implementation of the time banding scheme were sent out from 22nd February 2012. These letters went to: Businesses (7330), Residents (6126), Managing Agents (20), Voluntary Groups (44), Business Groups (6) and Resident Associations (5). Our corporate website was updated with a time banding page which included Frequently Asked Questions, with responses, and a list of waste contractors who support the scheme. The Public Relations

Office was also engaged to promote and highlight the scheme with articles in the press and e-publications which included; Recycling Waste World, Local Authority Plant and Vehicles, Chartered Institute of Waste Management & Edie Waste.

4. In addition to this, all residents in the City who were on bag collections from the street, i.e. no internal waste storage facility, were sent a separate letter informing them of any revised time of collection of their domestic waste and recycling bags. This revised timing brought them in line with the new regulations. The new timings for domestic bag collections were arranged in conjunction with our waste contractor Enterprise Managed Services Ltd.

Time Banding Team Monitoring

5. During the three weeks prior to 1st April, 165 respondents contacted the time banding team for additional information. Of this number 124 (75%) were from businesses simply wanting more clarification on the evening time bandings from 6pm through to midnight.
6. The time banding team have received 249 enquiries up to 3rd June 2012. Of these 226 (91%) of calls were enquiries seeking general clarification on the scheme. Only 23 (8%) of these respondents felt they were not able to comply and required a visit from an officer. (Appendix 2)
7. Of the 23 who identified themselves as having possible difficulties in complying with the new scheme, 21 (90%) felt able to comply following a visit from the time banding team. Solutions ranged from having storage within the premises, internal collections, to placement of waste within the curtilage of private land. Many places had storage space for waste within their own premises. A category which featured quite highly was that of places of worship. As a result the team made a number of visits to City churches and found that they usually had private land available off the highway where they could place their waste for collection. The remaining 2 are shown below in additional support by the City of London.
8. From the first week of April, the department has seen a general decline in the amount of calls/ queries coming into the time banding team on a weekly basis. The numbers are quite minimal now and therefore the team is able to provide a quick response and a tailored solution for customers. These figures can be seen in Appendix 3.

Additional Support provided by the City of London

9. In the September 2011 report, it was stated that the City of London Corporation may be able to provide additional support to assist with compliance of the time banding scheme. Two examples are:
 - A small number of residents in and around St Andrews Hill who had difficulty with storing waste. The solution has been to supply two refuse wheelie bins with locks and locate them in the Castle Baynard Car Park. This has provided 24 hour access for waste bag storage awaiting disposal.
 - An addition lockable wheelie bin has been placed in the grounds of St Bartholomew the Great allowing disposal of waste at any time. These solutions have been received very favourably at each location by the residents.
10. There have been no other major issues that have arisen from residents to date.

Street Monitoring & Enforcement

11. The Street Environment Officers are the team responsible for the monitoring and enforcement of the time banding scheme. From 1st April the team have been very active in policing the streets of the City. The team operates a number of shifts to provide street services activities covering a 24hour period.
12. From 1st April, the staff covering the early shift (07.00 – 15.00), have been monitoring the streets to ensure compliance with the scheme restriction that requires all bags to be cleared by 8.00am.
13. The late shift (14.00 – 22.00) monitors compliance with the later restrictions of the scheme. These arrangements provide a good presence on street to monitor the scheme.
14. The street enforcement team will continue with the agreed protocol by giving support and advice to those with issues in the first instance. The approach has been to give advice on time banding regulations in conjunction with official notifications, where necessary, under the Environmental Protection Act 1990. These official notifications are warning letters informing occupants of their responsibility towards waste management. A table detailing these actions is shown in Appendix 4 with percentage breakdown of actual interactions in Appendix 5.
15. As an example, from the implementation date of 1st April up to 23rd April, the enforcement team dealt with 350 issues of waste bags being present on the highway during restricted hours. This had been anticipated as with any new scheme coming into effect. However it is shown (in Appendix 4) that the numbers have reduced considerably on a week on week basis. This indicates that the active monitoring of the scheme by the Street Enforcement Officers from the start had a positive influence with a significant reduction in incidents since the start of the scheme.
16. Up to 3rd June 2012 it has only been necessary to issue 16 Fixed Penalty Notices as a result of monitoring by the enforcement team. The FPNs have been issued to occupants who are persistent offenders, they have been visited and advised how they can comply but they have continued to breach the regulations. The City has had little other option but to enforce the regulations with the issue of FPNs for those failing to comply in relation to waste storage and disposal. If this continues then the City could then look to take legal action and prosecute through the court where the fines can be significant (up to £1000).
17. Occupants who had been contacted by the enforcement team from 1st April to 23rd April have been re-visited to see if they have implemented changes to their practices to resolve the issues which were identified. Of the 113 visited, 90% had no problems with complying after having communication from an enforcement officer.
18. The remaining 10% had issues with their waste contractor not collecting waste at the correct time or not picking up at all, storage and road closure (Appendix 6). To help these businesses we are also contacting the collection companies to urge them to help their customers comply. We are getting positive response from the other collectors who are re-scheduling collection rounds in the City to better comply.

19. During the consultation with waste contactors on July 2011 the City indicated they will be working with them to ensure smooth implementation of the scheme as it may require operational changes. Where the enforcement team are encountering numerous waste bags from the same contractor on a regular basis the time banding team directly contacts the contractor to get the situation resolved. Waste contractors have been appreciative of being told of issues prior to any enforcement action being taken against their customers.

Impact of Time Banding Scheme

20. This can be difficult to quantify however the day time appearance of the street scene across the city has improved considerably. The Street Environment Officers are observing very few bags out on the streets.
21. The reduction of bags on the streets also benefits Enterprise, our street cleaning contractor, with their manual street sweeping operations. With fewer bags out on the streets the opportunity for loose litter to be deposited on and around bags is removed and the result is less loose and wind-blown litter. This reduction in loose litter has been noticed by the street sweepers who have commented positively about the impact of the time banding scheme.

Next steps

22. The strong compliance monitoring seen at the start of the scheme will continue, to ensure that occupants do not become complacent.
23. It is proposed that we undertake an independent survey to gain views and feedback sometime around the end of the current year or early in 2013. The results of the survey would be reported back to this committee along with a further update on enforcement activities
- 24.

Financial and Risk Implications.

25. No additional risks identified.

Legal Implications

26. None

Property Implication

27. None

HR Implications

28. None

Strategic Implications

29. The introduction of the time banding scheme supports the City of London's strategic priorities through The City Together Strategy: The Heart of a World Class City which protects, promotes and enhances our environment. The scheme also supports the corporate

plan strategic aim of SA2 of providing modern, efficient and high quality local services within the square mile for workers, residents and visitors whilst delivering sustainable outcomes.

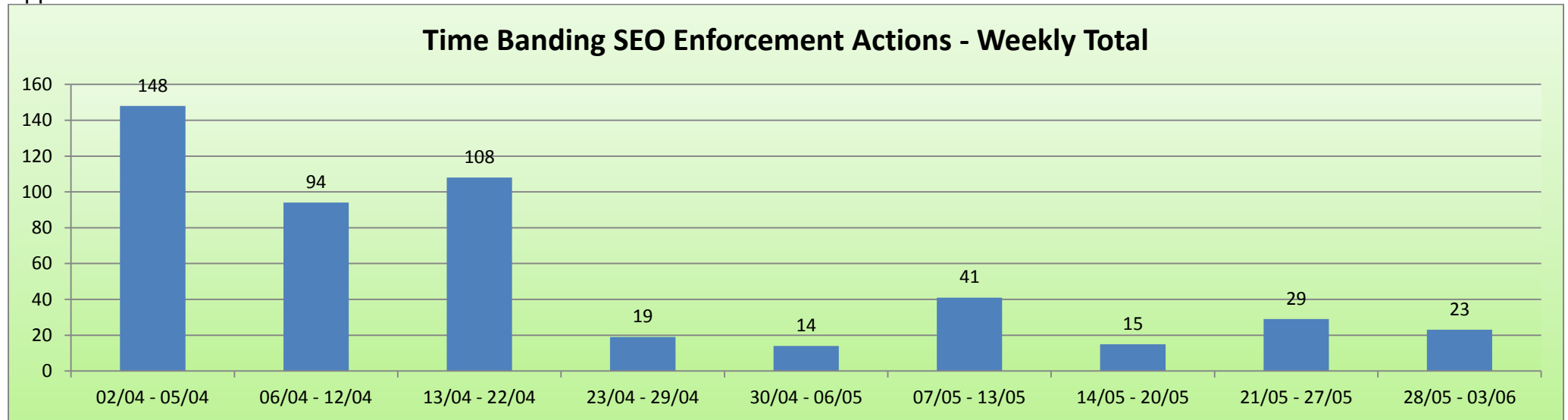
Background Papers

30. Report to Port Health and Environmental Services Committee, 20 September 2011– Introduction of Time Banding for Bagged Waste.
31. Report to Port Health and Environmental Services Committee, 17 May 2011 – Refuse Collection, Street Cleansing, Vehicle Maintenance and Ancillary Services Contract Tender.
32. LRS Residents and Businesses Survey report.

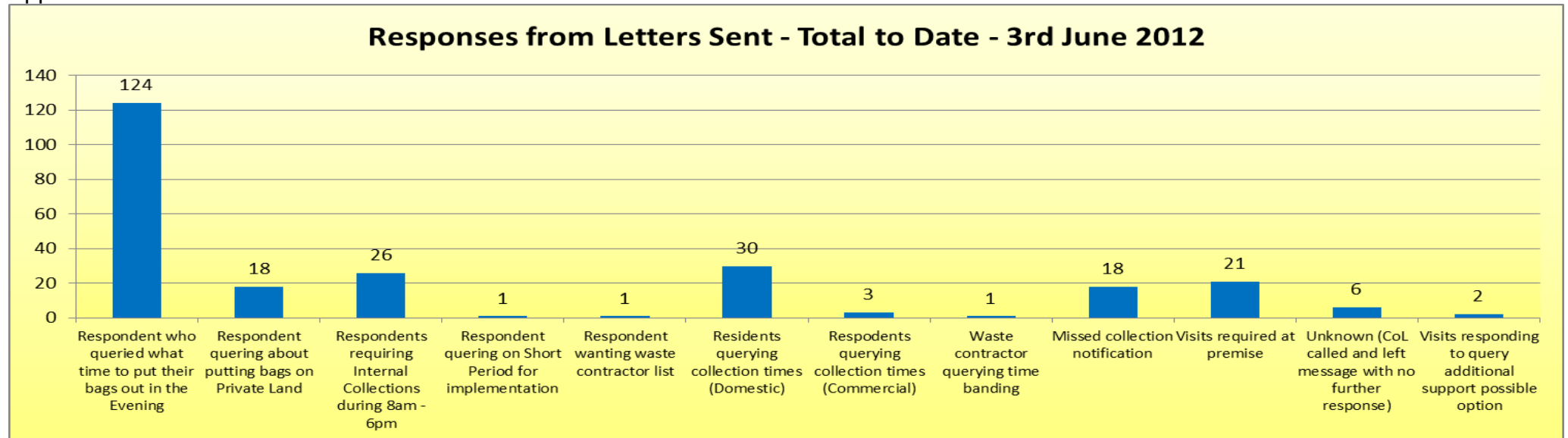
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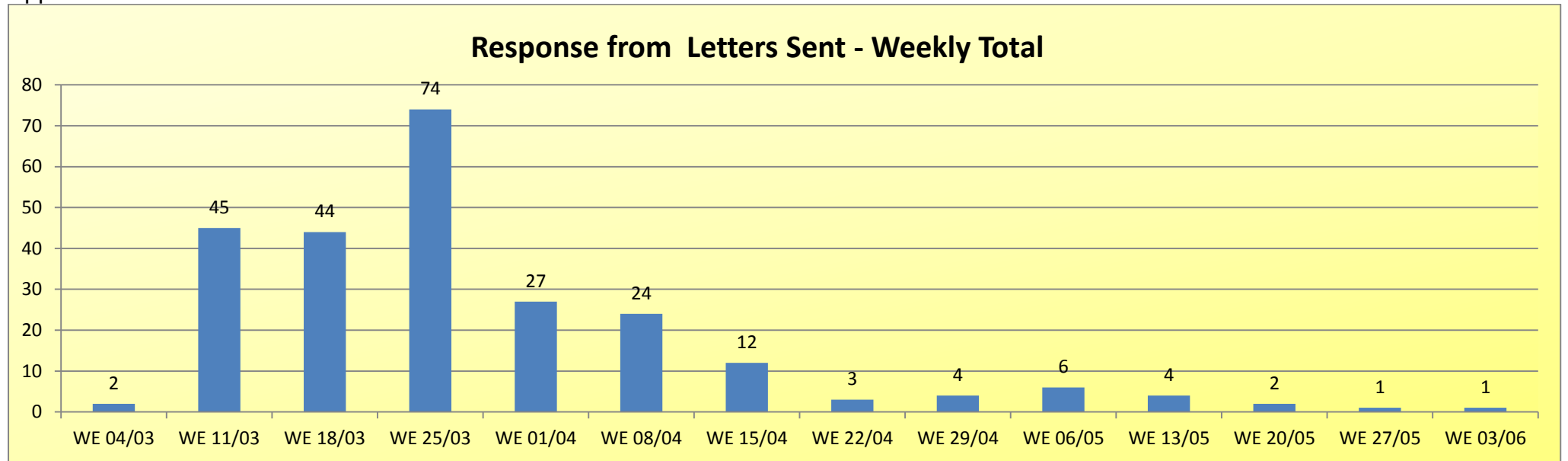
Appendix 1



Appendix 2



Appendix 3



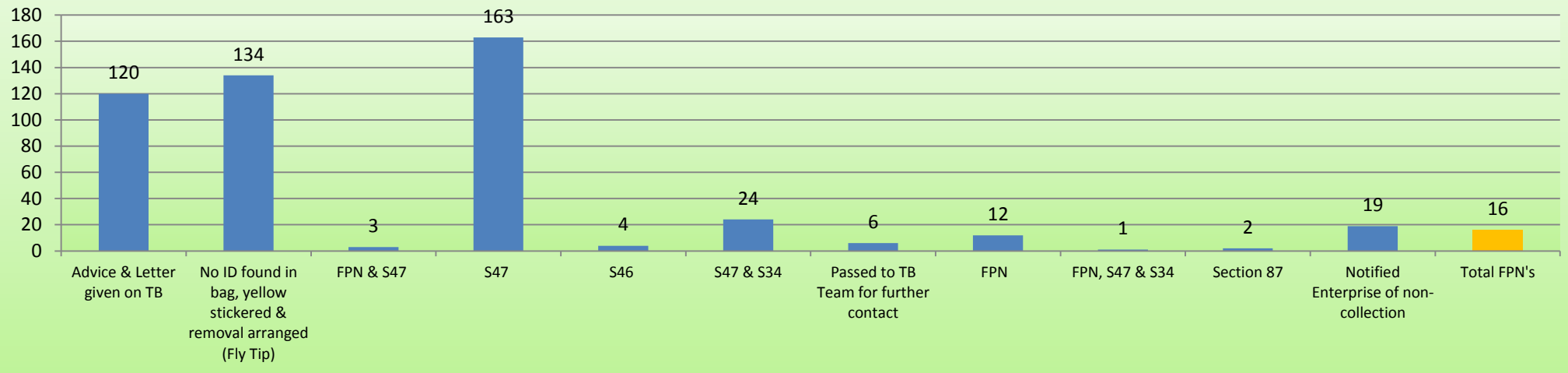
Appendix 4

Enforcement Action Taken by SEO	02/04 - 05/04	06/04 - 12/04	13/04 - 22/04	23/04 - 29/04	30/04 - 06/05	07/05 - 13/05	14/05 - 20/05	21/05 - 27/05	28/05 - 03/06	Cumulative weekly Totals	Percentage Breakdown	KEY	DESCRIPTION
Advice & Letter given on TB	43	25	30	2	1	16	1	0	2	120	24	Advice & Letter given on Time Bandings	Verbal advice & introduction of TB regulations given
No ID found in bag, yellow stickered & removal arranged (Fly Tip)	79	18	22	0	0	4	0	4	7	134	27	No ID found in bag, yellow stickered & removal arranged	No paperwork in waste bag to identify who the waste belongs too. Yellow stickers placed on for Enterprise to collect bags on their rounds. This is Fly Tip waste which we have always dealt with.
FPN & S47	2	0	1	0	0	0	0	0	0	3	1	FPN & Section 47 of EPA 1990	Fixed Penalty Notice served with Section 47
S47	16	32	47	12	11	14	11	11	9	163	33	Section 47 of EPA 1990	Formal notification given under S47 which is used to prevent commercial waste being detrimental to the area
S46	4	0	0	0	0	0	0	0	0	4	1	Section 46 of EPA 1990	Formal notification given under S46 which is used to prevent residential waste being detrimental to the area
S47 & S34	1	0	1	4	2	1	0	12	3	24	5	Section 34 of EPA Act 1990	Formal notification given under S34 which puts duty of care on waste producer to keep or dispose of waste in correct manner
Passed to TB Team for further contact	1	3	2	0	0	0	0	0	0	6	1	Passed to TB Team for further contact	Given to TB Team to visit/assess premises and provide additional support
FPN	1	1	1	0	0	3	3	2	1	12	2	FPN	Fixed Penalty Notice issued of £110.00
FPN, S47 & S34	1	0	0	0	0	0	0	0	0	1	0	FPN, S47 & S34	Fixed Penalty Notice issued with S34 & S47
Section 87	0	1	0	0	0	0	0	0	1	2	0	Section 87 of EPA 1990	Formal notification given under S87 which is used to prevent litter dropping in public places
Notified Enterprise of non-collection	0	14	4	1	0	0	0	0	0	19	4	Notified Enterprise of non-collection	Enterprise informed of their waste bags still on streets to collect
Total FPN's	4	1	2	0	0	3	3	2	1	16	3		
Weekly Total actions	148	94	108	19	14	41	15	29	23	491			

*Some premises were issued with FPN's and also additional S47 and/or S34 notices if people claim not to have received previously

Appendix 5

Time Banding SEO Enforcement Action -Total to Date - 3rd June 2012



Time Banding Compliance Response

