

Brighton & Hove City Council

Environment, Transport & Sustainability Committee

Agenda Item 88

Subject: City Environment Improvement Programme Update

Date of meeting: 14 March 2023

Report of: Executive Director: Economy, Environment & Culture

Contact Officer: Name: Lynsay Cook
Tel: 07592 103604
Email: Lynsay.cook@brighton-hove.gov.uk

Ward(s) affected: All

For general release

1. Purpose of the report and policy context

- 1.1 The Environment, Transport & Sustainability Committee last received a report on the City Environment Modernisation Programme at its meeting on 15 November 2022. This report provides a further progress update.
- 1.2 The report also provides an update on plans regarding the introduction of the Environment Act, as well as seeking permission to consult on extending the time-banding zones for managing commercial bins on the highway. It also provides a response to a Notice of Motion on underground superbins.

2. Recommendations

- 2.1 That Committee notes the report, the Programme Progress Update in Appendix 1 and the Environment Act Update in Appendix 2.
- 2.2 That Committee agrees to consult on extending the time-banding zones for managing commercial waste bins on the highway to the roads in Appendix 3.
- 2.3 That Committee notes the response to the Notice of Motion: underground superbins in section 3.18 to 3.22.
- 2.4 That Committee grants delegated authority to the Executive Director of Economy, Environment & Culture to enter into a contract to deliver an Integrated Waste Management System for Cityclean.

3. Context and background information

- 3.1 The City Environment Modernisation Programme has been delivering improvements to the service over the last four years in the context of reducing council budgets, increasing customer demand and an expanding service offer. In recent months, the programme of work has been reviewed and has led to the creation of the City Environment Improvement Programme. This is to reflect:

- The growing number of projects across City Parks, including projects to address ash die back and elm disease; the £3.400m capital investment in the service and the need for new IT systems in allotments and arboriculture.
 - The increasingly varying nature of projects within the Programme – some are modernisation, some are to ensure compliance, some are to deliver carbon neutral activities, and many are designed to improve services across City Environment.
- 3.2 The depth, breadth and complexity of the issues that are being addressed across City Environment cannot be underestimated. The improvements and modernisation required are a long-term programme that will deliver change over time. The cuts to the service over the last 10 years led to a substantial deterioration in legal compliance and safety levels, alongside the level of service. The former must be prioritised. The pace of change is slow due to the extent and depth of the problems caused by this disinvestment. A significant proportion of management time and effort continues to be used to address these issues to build a strong foundation which is required to ensure visible and sustainable improvements in service delivery for the future.
- 3.3 Furthermore, the challenges posed by two serious tree diseases have required significant council investment and pose health & safety risks if not managed effectively. Replanting is essential to contribute to the council's carbon neutrality ambitions. In addition, the forthcoming changes through the Environment Act present the biggest changes to waste management for a generation, which has significant and costly implications for the council. These are two big programmes of work.

Highlights from the Improvement Programme Update

- 3.4 Appendix 1 contains an update on each of the key Cityclean projects within the Programme. A green RAG rating means the project is on track, an amber rating means the project is slightly off track and red means the project is off track. The next update to committee will also include updates on City Parks projects.
- 3.5 Some key milestones achieved over the last few months include:
- started Assisted Collection data audit
 - responded to 96.9% of Stage 1 Complaints within 10 days with an average response of 3.4 days. 100% of all Stage 1 complaints are responded to within 20 working days.
 - installed and activated electric vehicle charging infrastructure at Hollingdean Depot
 - completed 74% PDPs across City Environment, including a 71% completion rate for Cityclean Operations (Refuse & Recycling, Street Cleansing, Commercial and Environmental Enforcement). Most of the workforce is manual and not office based, and it is a significant improvement on previous years.
 - onsite physiotherapy available to staff and the uptake up is very good.
 - staff volunteers have received training in Mental Health First Aid.

- started the Public Toilet Refurbishment Programme at four sites: Kings Esplanade, Daltons, Saltdean Undercliff and Station Road. Park Road in Rottingdean also undergoing a refurbishment, led by Rottingdean Parish Council.
 - developed a revised approach for 2023 weed removal using a traffic light system to target most affected areas causing access issues or damage to highway
- 3.6 In February 2023, a joint action day was held involving Sussex Police and the Environmental Enforcement Team. The first half of the afternoon was spent with Police Officers and PCSOs from the Rural Crime Team and the local Neighbourhood Policing Team. Commercial vehicles were stopped and checked for waste carrier licences and insecure loads. Vehicles were stopped on Preston Road and directed into Preston Park where Environmental Enforcement Officers (EEOs) inspected vehicles for waste or insecure loads and proceeded with requesting evidence of waste carrier licences being held. Where a waste carrier licence was not presented or there was clear evidence of insecure and unsafe loads, the EEOs issued a Fixed Penalty Notice under Section 34 of the Environmental Protection Act 1990. From this activity:
- 42 vehicles stopped and checked
 - 10 Fixed Penalty Notices issued for no waste carrier licence
 - 1 Fixed Penalty Notice issued for insecure load
- 3.7 Sussex Police checked driving licences, insurance and vehicle condition, with one vehicle seized for no insurance and one vehicle dealt with for no MOT.
- 3.8 During the evening, the focus changed to graffiti hot spots and the various officers present split into three teams to cover the East, West and Central areas. The areas covered, and a presence shown in, were:
- Portland Road
 - Haddington Close/George Street
 - Church Road
 - Western Road
 - Lewis Buildings Alleyway
 - New England Hill
 - South Lanes and North Laines
 - Kemp Town
 - Black Rock
 - Old Steine
 - Preston Park
 - Network Rail tunnels
- 3.9 Although no taggers were caught, four taggers were disturbed, and the presence of officers was visible.

Environment Act

- 3.10 At its meeting on 21 June 2021, ET&S Committee received a report on the National Resources and Waste Strategy, which set out the ambitions of government which the Environment Act 2021 seeks to bring to legalisation.
- 3.11 The Environment Act 2021 details the reforms and new burdens to be expected of local authorities in the coming years. Although some consultation outcomes and finer detail are yet to be announced, Defra has commenced activities which include the creation of a monthly engagement forum to share information on the reforms and associated delivery of projects.
- 3.12 Appendix 2 sets out the latest updates.

Commercial bins on the highway

- 3.13 At its meeting on 22 June 2021, Environment, Transport & Sustainability Committee agreed a new approach to managing commercial bins on the highway following a public consultation. The introduction of time-banding zones has not only improved and tidied up central areas of the city, it has also improved the accessibility of pavements and roads.
- 3.14 Following requests from councillors and members of the public, Cityclean is seeking permission to commence a consultation to extend time-banding zones to other roads within the city, as listed in Appendix 3.
- 3.15 Following feedback on the approach of the last consultation, a different approach will be adopted which will include a letter/leaflet drop to the businesses on the affected roads to ensure businesses are aware and can respond to the consultation.
- 3.16 The consultation will seek views on [adopting the same model](#) in more of the city's streets, rather than a different model. The results of the consultation will be brought to a future committee for a decision on how to proceed.
- 3.17 [Advice for businesses within time-banding zones on how to comply with the arrangements is available on the council website](#). This includes:
- arranging for collections to take place from private land or property
 - arranging for a member of staff to be on site to bring bins out for collection
 - changing the collection time with the waste provider, or changing provider
 - arranging for a smaller container and more frequent collections
 - using sack style collections from waste collection providers
 - using the council's commercial sack scheme for refuse which can be placed in a communal bin
 - working with other businesses who may have some space on private property
 - getting in touch with a similar company in another area which has time banded collections
 - reducing waste

- using other businesses or circular economy initiatives who may have a use for the waste

Response to Notice of Motion: underground superbins

- 3.18 At its meeting on 15 November 2022, Environment, Transport & Sustainability Committee received a Notice of Motion regarding underground superbins:
- 1) Notes concerns of residents and businesses regarding the state of the city, including unsightly and graffitied communal rubbish bins, often overflowing litter, that attract rats;
 - 2) Notes the recent successful roll-out of Underground Super-bins by the Labour Council in Liverpool, which can hold up to 5,000 litres of waste in containers below the street level, are capable of eliminating issues associated with wheelie and communal street bins such as rats, flies and litter, and have the potential to help local authorities work towards building 'Zero Waste Cities' and;
 - 3) Calls for a report into whether Underground Super-bins could be a solution to some of the waste problems Brighton & Hove, and how Brighton & Hove could work towards becoming a 'Zero Waste City'.
- 3.19 Officers have had discussions about potential ways to introduce underground bins.
- 3.20 Underground bin solutions will be considered for new developments. This is dependent on many factors including available space and having an appropriate vehicle to complete collections. Nevertheless, officers are committed to looking at the opportunities presented by new developments as they go through the planning process. In addition, Cityclean is updating the PAN05 Design Guidance for the Storage and Collection of Recyclable Materials and Waste which will include appropriate guidance regarding underground bins.
- 3.21 The complex network of services under roads in central areas of the city means it is likely that the cost to introduce underground bins will be prohibitive. If Members want to explore this further, budget will need to be made available for consultants to complete feasibility studies into different areas of the city to determine what is possible. This cost alone is likely to be prohibitive.
- 3.22 Officers will continue to monitor developments in Liverpool and elsewhere.

Integrated Waste Management Software System

- 3.23 A procurement exercise for an integrated waste management software system has been completed and a preferred bidder identified.
- 3.24 The new system will enable better grip on the refuse and recycling collections service and enable the council to provide better information to residents. It will also enable the optimisation of collection routes and improve efficiency.

- 3.25 This report seeks permission for the Executive Director to enter into a five-year contract which is funded from modernisation funding that has been allocated for this project. The contract is £0.554m over five years and includes the implementation and licence costs for this period.

4. Analysis and consideration of alternative options

- 4.1 The Improvement Programme is developing a sustainable future for the service in Brighton & Hove in the context of reducing council budgets, increasing customer demand, serious tree diseases and forthcoming legislative changes through the Environment Act. Within this, work is taking place to improve performance on refuse, recycling, garden and trade waste collections and street cleansing, as well as adopting a more commercial approach to income generating services. The Programme has recently been expanded to take account the need for improvement and modernisation within City Parks. Without the continuation of the Programme, there is a risk that improvements will not be delivered.

5. Community engagement and consultation

- 5.1 This report is seeking approval to undertake a public consultation on the extension of time-banding zones in the city. The results will be brought to a future committee for a decision on how to proceed.
- 5.2 Previous community engagement and consultation activities in relation to the Programme are detailed in the committee reports listed as Background Documents below.

6. Conclusion

- 6.1 This report provides Environment, Transport & Sustainability Committee with a progress report on the Improvement Programme and is seeking permission to consult on extending time-banding zones to manage commercial bins on the highway. It also provides an update on the Environment Act and a response to a Notice of Motion on superbins.

7. Financial implications

- 7.1 This report is an update report on progress on existing initiatives which are funded from existing resources. There are no direct financial implications arising from the recommendation of this report. Costs associated with the consultation on extending the time-banding zones for managing commercial waste bins on the highway are maintained within existing City Clean Budgets. Any significant variations to budget will be reported as part of the council's monthly budget monitoring process.
- 7.2 Should a future decision be made regarding the feasibility of underground superbins, additional funding will need to be identified as highlighted in the body of the report before any feasibility studies in different areas of the city could be undertaken.

Name of finance officer consulted: John Lack Date consulted: 16/02/2023

8. Legal implications

- 8.1 The Environmental Protection Act 1990 allows waste collection authorities to require that commercial waste is stored in receptacles of a certain kind, including requirements as to where the receptacles are placed for waste collection purposes and steps to be taken by occupiers of premises to facilitate the collection of the waste. The Environment Act 2021 sets out the legal framework for significant reforms to local authority waste and recycling services. The Integrated Waste Management Software System has been procured in accordance with the council's Contract Standing Orders and the Public Contracts Regulations 2015.

Name of lawyer consulted: Alice Rowland Date consulted: 15/02/2023

9. Equalities implications

- 9.1 Feedback received during the initial commercial bins on the highway consultation highlighted some of the accessibility issues caused by the volume and placement of commercial bins across Brighton & Hove. The model adopted has improved accessibility on pavements and roads. An Equality Impact Assessment was included in the meetings papers on 21 June 2021.

10. Sustainability implications

- 10.1 There are no direct sustainability implications arising from the report's recommendations. Many of the projects within the City Environment Improvement Programme have sustainability implications.

11. Other Implications

Social Value and procurement implications

- 11.1 There are no direct social value and procurement implications arising from the report's recommendations.

Crime & disorder implications

- 11.2 As stated in the June 2021 report, commercial bins on the highway can lead to anti-social behaviour and environmental crimes, such as being used as a canvas for graffiti vandalism and/or used as a structure to carry out graffiti vandalism on a building or other surface and encourages litter and debris to be left on top of the bin. Managing the bins in a more effective way will reduce this.

Public health implications

- 11.3 There are no direct public health implications arising from the report's recommendations.

Supporting Documentation

Appendices

- Appendix 1: City Environment Improvement Programme Update
- Appendix 2: Environment Act Update
- Appendix 3: Extension to time-banding zones – proposed roads

Background documents

- [Notice of Motion: underground superbins](#) to Environment, Transport & Sustainability Committee on 15 November 2022 (item 42)
- [City Environment Modernisation Update Report](#) to Environment, Transport & Sustainability Committee on 15 November 2022 (item 46)
- [City Environment Modernisation Update Report](#) to Environment, Transport & Sustainability Committee on 22 June 2022 (item 8)
- [Commercial Bins on the Highway Report](#) to Environment, Transport & Sustainability Committee on 15 March 2022 (item 92)
- [City Environment Modernisation Update Report](#) to Environment, Transport & Sustainability Committee on 21 September 2021 (item 41)
- [National Resources and Waste Strategy – Responses to Government consultations](#) to Environment, Transport & Sustainability Committee on 21 June 2021 (item 8)
- [Commercial Bins on the Highway: outcome of public consultation report](#) to Environment, Transport & Sustainability Committee on 21 June 2021 (item 10)
- [City Environment Modernisation Update Report](#) to Environment, Transport & Sustainability Committee on 16 March 2021 (item 80)
- [City Environment Modernisation Update Report](#) to Environment, Transport & Sustainability Committee on 29 September 2020 (item 29)
- [City Environment Modernisation Update Report](#) to Environment, Transport & Sustainability Committee on 21 January 2020 (item 66)
- [City Environment Modernisation Update Report](#) to Environment, Transport & Sustainability Committee on 8 October 2019 (item 36)
- [City Environment Modernisation Update Report](#) to Environment, Transport & Sustainability Committee on 25 June 2019 (item 10)
- [City Environment Modernisation Update Report](#) to Environment, Transport & Sustainability Committee on 22 January 2019 (item 57)
- [City Environment Modernisation Update Report](#) to Environment, Transport & Sustainability Committee on 9 October 2018 (item 29)