



## CABINET – 30TH JULY 2014

**SUBJECT: MEDIUM TERM FINANCIAL PLAN SAVINGS – VANS & TRAILERS AT CIVIC AMENITY SITES**

**REPORT BY: ACTING DEPUTY CHIEF EXECUTIVE**

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### **1. PURPOSE OF REPORT**

- 1.1 To update Cabinet and clarify some definition issues relating to planned restrictions on the deposit of waste by vans and trailers at Civic Amenity Sites.

### **2. SUMMARY**

- 2.1 Cabinet considered a report on 2nd April 2014 relating to Medium Term Financial Plan Savings resulting from restrictions to be applied to the use of Civic Amenity Sites by Vans and Trailers. This report was considered by Cabinet after consideration of the issue by the Regeneration and Environment Scrutiny Committee on 1st April 2014.
- 2.2 Since this report was considered by Cabinet further legal advice has been sought in relation to implementation and the legal view that has been provided suggests that further clarity should be provided to Cabinet in relation to legal definitions such that a new decision can be made which avoids ambiguity and ensures absolute clarity for members of the public.

### **3. LINKS TO STRATEGY**

- 3.1 Effective medium term financial planning (MTFP) is an essential part of budget setting and delivery of services to achieve a balanced budget.
- 3.2 This particular aspect formed part of the Community and Leisure Service MTFP for 2014/15 and was aimed at achieving financial savings while also ensuring that waste is disposed of legally and sustainably.

### **4. THE REPORT**

- 4.1 At the meeting on 2nd April 2014, Cabinet agreed to:-
- 4.1.1 Introduce charges for small vans (“transit” size and below) and small trailers (<1.8m in length) carrying household waste via a permit purchase system.
- 4.1.2 Ban vans greater than “ford transit” size, Luton vans, tippers and trailers > 1.8m in length from using the sites.
- 4.1.3 Insist that proof of residency is requested when permits are being purchased.

- 4.1.5 Provide signage at each site which would outline policies and procedures and warn that failure to comply would result in legal action.
- 4.2 The legislation (section 51 of the Environmental Protection Act (EPA) 1990 and associated subordinate legislation) can be interpreted in a number of ways. Consequently, additional legal advice has recommended that the item at 4.1.1 above is further clarified in terms of the definition of household waste and how it will be applied in terms of new restrictions.
- 4.3 The EPA 1990 requires Waste Disposal Authorities to provide places where residents can deposit household waste free of charge although it allows for the Authorities to restrict the times of availability and the way in which waste is delivered. Consequently the flexibility exists to “ban” certain types of delivery vehicles even if they are carrying household waste.
- 4.4 In developing this legislative restriction into a new policy consideration can therefore be given to charging residents to deposit waste which is not classed as household waste even though it may originate from a domestic property. This includes any waste relating to works of construction or demolition. The result is that the charging scheme can be applied to all waste arising from works of construction or demolition but not to other household wastes (garden waste, bags of “refuse”, furniture, electrical appliances, toys, carpets, etc arising from a domestic dwelling).
- 4.5 The updated proposal is therefore to build on that previously agreed while clarifying which wastes will be subject to a charge.
- 4.6 The updated proposal is therefore as follows:-
- 4.6.1 Charges are introduced for small vans (“transit” size and below) and small trailers (<1.8m in length) carrying wastes arising from works of construction or demolition. Charge levels to be:-
- £35 for a car derived van (e.g.: “escort” van, transit connect etc) and trailers < 1.8m long.
  - £70 for large vans up to “ford transit” size.
- Charges will be implemented via the advance purchase of a tipping permit from one of the Authority’s cash or customer first offices. The permit will be a single use permit which will need to be handed in at the site.
- 4.6.2 Small vans (“transit” size and below) and small trailers (<1.8m in length) carrying household waste will be allowed to deposit waste free of charge but will be required to collect a tipping permit from one of the Authority’s cash or customer first offices. The permit will be a single use permit which will need to be handed in at the site and the maximum of 6 free van permits will be issued to a resident in a 12 month period.
- 4.6.3 Vans greater than “Ford Transit” size, Luton vans, tippers and trailers >1.8m in length are banned from using the sites irrespective of the type of waste being carried.
- 4.6.4 To ensure that the sites are used by Caerphilly County Borough residents only, proof of residency will be requested when obtaining the permit.
- 4.6.5 The Authority will introduce time windows (during the least busy periods) when vans and trailers with a valid permit can use the sites. These times will vary between sites and will be advertised in advance.
- 4.6.6 Signage will be displayed at each site outlining the policies and procedures and warning users that failure to comply may result in legal action for illegal tipping (in this regard each site has full CCTV coverage to assist evidence gathering) and/or the issuing of a sundry debtor invoice for full cost recovery relating to the waste deposit.

## **5. EQUALITIES IMPLICATIONS**

- 5.1 There are no equalities implications associated with this report as the restrictions suggested will be applied equally. However, vehicles adapted or designed for disabled people will not be classed as small vans due to their size for the purpose of these restrictions.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 The Community & Leisure Services Medium Term Financial Plan suggested that banning vans from CA Sites could achieve a £50,000 saving in 2014/15.
- 6.2 It is unlikely that the scheme above could be implemented before 1st October 2014. Consequently it is possible that the full £50,000 saving may not be realised in 2014/15.

## **7. PERSONNEL IMPLICATIONS**

- 7.1 There are no personnel implications associated with this report.

## **8. CONSULTATIONS**

- 8.1 The report reflects the views of the listed consultees.

## **9. RECOMMENDATIONS**

- 9.1 Cabinet is asked to agree the revised scheme outlined in section 4.6 of this report for implementation from 1st October 2014.
- 9.2 Officers review the effectiveness of the scheme after a 6-9 month period and present a further report(s) if amendments to the scheme are required.

## **10. REASONS FOR THE RECOMMENDATIONS**

- 10.1 To ensure the Authority achieves the savings agreed by Council in February 2014.

## **11. STATUTORY POWER**

- 11.1 Environmental Protection Act 1990, Local Government & Housing Acts.

Author: Mark S. Williams, Head of Community & Leisure Services  
Consultees: Councillor D. Poole, Cabinet Member  
Sandra Aspinall, Acting Deputy Chief Executive  
Tony White, Waste Strategy & Operations Manager  
Gail Williams, Head of Legal Services & Monitoring Officer  
Angharad Price, Deputy Monitoring Officer  
Dave Titley, Customer Services Manager

### **Background Papers:**

- (1) Report to Council 26/2/2014 – Budget Proposal 2014/15 & Medium Term Financial Strategy 2014/2017.
- (2) Report to Regeneration & Environment Scrutiny Committee 20/1/14 – Local Government Settlement 2014/15 – Environment Directorate Savings Proposals.

- (3) Report to Regeneration & Environment Scrutiny Committee 12/12/13 – Provisional Local Government Settlement 2014/15 – Savings Proposal.
- (4) Report to Regeneration & Environment Scrutiny Committee 1/4/14 – Medium Term Financial Plan Savings – Vans & Trailers at Civic Amenity Sites.
- (5) Report to Cabinet 2/4/14 – Medium Term Financial Plan Savings – Vans & Trailers at Civic Amenity Sites.