

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

Julie Beilby BSc (Hons) MBA

Gibson Building
Gibson Drive
Kings Hill, West Malling
Kent ME19 4LZ
West Malling (01732) 844522

NB - This agenda contains proposals, recommendations and options. These do not represent Council policy or decisions until they have received proper consideration through the full decision making process.

Contact: Committee Services
committee.services@tmbc.gov.uk

3 June 2019

To: MEMBERS OF THE STREET SCENE AND ENVIRONMENT SERVICES
ADVISORY BOARD

(Copies to all Members of the Council)

Dear Sir/Madam

Your attendance is requested at a meeting of the Street Scene and Environment Services Advisory Board to be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 11th June, 2019 commencing at 7.30 pm

Yours faithfully

JULIE BEILBY

Chief Executive

A G E N D A

PART 1 - PUBLIC

- | | | |
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| 1. | Apologies for absence | 5 - 6 |
| 2. | Declarations of interest | 7 - 8 |

3. Minutes 9 - 12

To confirm as a correct record the Notes of the meeting of the Street Scene and Environment Services Advisory Board held on 11 February 2019

4. Overview of Services Areas 13 - 14

As part of the induction for new Members, Service Heads will give a short overview of their service areas either at the beginning of the meeting or before introducing their respective reports on the agenda.

Matters for recommendation to the Cabinet

5. Waste Services Contract 15 - 42

This report updates Members on the new Waste Services Contract which started on 1st March 2019, with the new and improved recycling services due to commence from 30th September 2019. The report also highlights the Government's recently published new 25 year Resources & Waste Strategy.

6. Priory Wood, Tonbridge - Landfill Gas Investigation 43 - 66

Since 1988 TMBC has been monitoring landfill gas levels at the Priory Wood site in Tonbridge which now comprises a public open space owned and maintained by the Council. In light of issues at the former Jocopit site in Borough Green, where increased gas levels at one borehole were recorded and which required detailed investigation, a review of the Priory Wood site was also deemed necessary.

7. Environmental Health Performance 2018/19 67 - 82

This report summarises the operational activities of the Council in relation to its statutory Environmental Health functions undertaken by the Environmental Protection Team and Food and Safety Team for 2018/19.

Matters submitted for Information

8. Waste Services Update 83 - 88

This report highlights a number of issues & initiatives managed by the Waste & Street Scene Services team since the last meeting of this Board.

- The Kent Resource Partnership – End Destination report (Annex 1) has been attached as a supplemental paper due to its size

9. Urgent Items 89 - 90

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

Matters for consideration in Private

10. Exclusion of Press and Public 91 - 92

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

PART 2 - PRIVATE

11. Urgent Items 93 - 94

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

MEMBERSHIP

Cllr M O Davis (Chairman)
Cllr Mrs S Bell (Vice-Chairman)

Cllr G C Bridge
Cllr D J Cooper
Cllr D A S Davis
Cllr S M Hammond
Cllr M A J Hood
Cllr F A Hoskins
Cllr A P J Keeley

Cllr D Keers
Cllr A Kennedy
Cllr Mrs C B Langridge
Cllr R V Roud
Cllr Miss J L Sergison
Cllr T B Shaw
Cllr Miss G E Thomas

Apologies for absence

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Declarations of interest

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TONBRIDGE AND MALLING BOROUGH COUNCIL

STREET SCENE AND ENVIRONMENT SERVICES ADVISORY BOARD

Monday, 11th February, 2019

Present: Cllr M O Davis (Chairman), Cllr O C Baldock (Vice-Chairman), Cllr Mrs J A Anderson, Cllr M A C Balfour, Cllr D Keeley, Cllr D Keers, Cllr D Markham, Cllr Mrs A S Oakley, Cllr L J O'Toole, Cllr S C Perry, Cllr M R Rhodes, Cllr T B Shaw and Cllr Miss G E Thomas

Councillors Mrs P A Bates, M A Coffin, D J Cure, N J Heslop, D Lettington, Mrs S L Luck, B J Luker, M Parry-Waller, H S Rogers and A K Sullivan were also present pursuant to Council Procedure Rule No 15.21.

An apology for absence was received from Councillor T C Walker

PART 1 - PUBLIC

SSE 19/1 DECLARATIONS OF INTEREST

There were no declarations of interest in accordance with the Code of Conduct.

SSE 19/2 MINUTES

RESOLVED: That the notes of the meeting of the Street Scene and Environment Services Advisory Board held on 5 November 2018 be approved as a correct record and signed by the Chairman.

MATTERS FOR RECOMMENDATION TO THE CABINET

SSE 19/3 WASTE SERVICES CONTRACT

Decision Notice D190003MEM

The Advisory Board welcomed Mr Mark Pigott, Business Development Manager and Mr Dan Dibdin, Contract Manager for Urbaser, who gave a presentation on work undertaken in preparation for the Waste Services Contract. Members asked a number of detailed questions relating to staffing, green waste collections and the new services to be provided across the Borough.

The report of the Director of Street Scene, Leisure and Technical Services provided an update on the implementation of the new Waste Services Contract from 1 March 2019 and the introduction of the new recycling services from 30 September 2019. The report sought approval of proposals relating to the Mobilisation Arrangements, an Operational Marketing Plan and a Domestic Recycling and Waste Collection Policy

and Procedure Statement for the new Service. In response to comments regarding wheeled bins being left on the public highway, officers advised that a pragmatic approach was taken to enforcement and that the wording of Section 5 of Annex 2 to the report would be reviewed and clarified as appropriate.

In addition, the report advised that the Government had recently published a new Resources and Waste Strategy and that consultations would be undertaken on Extended Producer Responsibility, Deposit Return Schemes and Consistent Collections from January 2019.

RECOMMENDED: That

- (1) the Mobilisation Arrangements for the new Waste and Recycling Service, as outlined in the report, be approved;
- (2) the draft Operational Marketing Plan, as detailed at Annex 1 to the report, be agreed and implemented;
- (3) subject to a review of Section 5 to reflect the comments expressed about enforcement action taken where wheeled bins cause an obstruction, the Domestic Recycling and Waste Collection Policy Procedure and Statement for the new Service, as detailed at Annex 2 to the report, be agreed; and
- (4) the Partnership Manager submit an Annual Service Delivery Plan to a future meeting of the Street Scene and Environment Services Advisory Board.

SSE 19/4 PUBLIC CONVENIENCES REVIEW

Decision Notice D190004MEM

The report of the Director of Street Scene, Leisure and Technical Services provided an update on the agreed way forward regarding the future provision of the Council's existing public conveniences and sought approval of an Equality Impact Assessment.

RECOMMENDED: That

- (1) the update on the way forward regarding the provision of public conveniences be noted and the Equality Impact Assessment, as attached at Annex 2 to the report, be approved; and
- (2) subject to the outcome of the recommendation at (1) above, the Special Expenses Policy be updated and submitted to Council for approval in readiness for implementation in the financial year 2020/21.

SSE 19/5 FIXED PENALTY NOTICES FOR LITTERING

Following the introduction of new legislation under The Environmental Offences (Fixed Penalties)(England) Regulations 2017 which came into force in April 2018, the report of the Director of Street Scene, Leisure and Technical Services set out details of the amended limits for Fixed Penalty Notices for Littering.

RECOMMENDED: That

- (1) the Council's revised charge for Fixed Penalty Notices for littering offences be set at £100 from 1 April 2019;
- (2) a revised early payment charge (within 10 days) for Fixed Penalty Notices for littering offence be set at £65 from 1 April 2019; and
- (3) the proposed approach to updating existing signage, as set out a paragraph 1.3.3 of the report, be approved.

***Referred to Cabinet**

MATTERS SUBMITTED FOR INFORMATION

SSE 19/6 WASTE AND STREET SCENE SERVICES UPDATE

The report of the Director of Street Scene, Leisure and Technical Services highlighted a number of issues and initiatives managed by the Waste and Street Scene Services team.

SSE 19/7 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.15 pm

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Agenda Item 4

As part of the induction for new Members, Service Heads will give a short overview of their service areas.

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TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

11 June 2019

Report of the Director of Street Scene, Leisure & Technical Services

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 WASTE SERVICES CONTRACT

Summary

This report updates Members on the new Waste Services Contract which started on 1st March 2019, with the new and improved recycling services due to commence from 30th September 2019. The report also highlights the Government's recently published new 25 year Resources & Waste Strategy.

1.1 Background

1.1.1 The Council's Waste Services Contract has recently been retendered in partnership with Tunbridge Wells Borough Council. Urbaser was appointed as the successful contractor by Cabinet on the advice of this Board, and commenced the delivery of the new contract on 1st March 2019.

In summary:-

- the contract covers the collection of household refuse and the cleansing of streets across the boroughs of Tonbridge & Malling and Tunbridge Wells [in Tonbridge and Malling this involves circa 54,580 households];
- between 1st March – 29th September 2019 the contract matches the service delivery arrangements in the previous contract;
- from the 30th September 2019 a new improved household recycling collection service will be introduced including weekly food waste, plastic bottles, trays, pots and tubs, glass, bottles and jars, paper and card/cardboard, tins and cans, household batteries, small electrical appliances and textiles;
- the new Service will also include the change to an opt-in garden waste service for which a separate annual charge will apply.

1.1.2 At the last meeting of this Board on 11th February 2019, Members were updated on the contract arrangements, met with representatives from Urbaser and made a number of recommendations to Cabinet as follows:-

- the Mobilisation Arrangements for the new Waste & Recycling Service as outlined in the report be approved;
- the draft Operational Marketing Plan be agreed and implemented;
- the Domestic Recycling & Waste Collection Policy Procedure & Statement for the new Service be agreed; and
- the Partnership Manager brings forward an Annual Service Delivery Plan to a future meeting of this Board for approval and ongoing monitoring.

1.1.3 A separate Member Group has been established by this Council to help oversee the implementation of the new contract, and has already met on a number of occasions. The Group last met on 28th February 2019 and focussed on the new Information Technology system being used to manage the contract (Whitespace) together with digital marketing, and the new temporary waste and recycling website. Following the Borough Council elections it is appropriate to revisit representation on the Member Group. At the present time there are 4 Member representatives in addition to the Chair and Vice Chair of this Board and the Cabinet Member for Environmental Services.

1.2 Contractor Performance

1.2.1 Urbaser commenced on 1st March 2019, so it is still very early days in the life of the new contract. Performance to date has been in accordance with the requirement of the contract, which has been helped by the majority of the staff employed by the previous contractor choosing to continue with their employment on the new contract.

1.2.2 Until 30th September 2019 Urbaser will continue with the previous service arrangements and are therefore using hire vehicles for this period. Key Monthly Performance Indicators to monitor performance of the contractor are being finalised by the Partnership Manager, and these will be included in future reports to this Board. It is hoped that some initial performance information will be available for the meeting of the Board and this will be shared verbally on the night.

1.3 Mobilisation Arrangements for the New Service

1.3.1 At the last meeting of this Board Members approved the Mobilisation arrangements for the new Service. The two agreed phases can be summarised as follows:-

i) Phase 1

- for subscribers to the opt-in garden waste service, new brown garden waste bins will be delivered before the service starts on 30th September;
- food waste bins will be delivered from August onwards and will all be in place before the service starts on 30th September for every property.

The above approach takes into account that peak demand for garden waste is ending, will enable follow up messaging with residents still presenting 'old' garden waste receptacles, and will free up the contractor's staff and vehicles. The timing of the food waste will allow residents to continue to dispose of food waste when the garden waste receptacles are removed.

ii) Phase 2

- collection of residual waste and recycling will commence from 30th September;
- the new bring bank service will commence once the new service has bedded in [10 key strategic bring bank sites will be retained]. This will involve replacing banks at those sites earmarked to remain to mirror the new kerbside service. Banks will be removed from sites approved for closure in liaison with the land owners, and public notices will be displayed at the sites prior to closure. A report will be submitted to the next meeting of this Board on the arrangements for the new bring bank service.

The above approach ensures co-ordination with the new recycling and food waste collections. There will be no change to the existing Saturday bulky waste service with the exception of exclusion of garden waste from 30th September.

1.3.2 With regard to the opt-in garden waste service the 'Early Bird Scheme' went live on Tuesday 7th May and closes on Friday 2nd August 2019. The Early Bird scheme will not only offer residents a reduced price of £35 p.a. for the service (guaranteed for the first 2 years), but will also ensure their new garden waste bin is delivered and available for use in accordance with the aforementioned Implementation Plan. For all those applying for the garden waste service after 2nd August 2019, the full charge for the service will be applied (£40 p.a.), they will be added to a waiting list and their new bin will be delivered as soon as is practicable. It is not anticipated that this will be before 30th September 2019.

1.3.3 At the time of writing this report Officers are pleased by the initial take-up for the garden waste service, with 4,150 households subscribing, 4,549 bins ordered (households can have up to 3 bins), and £155,225 of income generated. 71% of subscriptions have been self-service and 20% have signed up for direct debit in the future. The income target for garden waste subscriptions in the 2019/20 revenue budget is £550,000, which is based on 30% of all households in the

borough subscribing to the service. The delivery of the garden waste bins for those subscribing will commence in July 2019, and will be undertaken by a specialist company employed by Urbaser.

- 1.3.4 Following a procurement exercise undertaken in liaison with Tunbridge Wells Borough Council, the new garden waste bins and internal and external food caddies have been ordered with the successful suppliers. The cost of the containers is within the £600,000 budget allocation within the Capital Plan.

1.4 Marketing/Communications

- 1.4.1 At the last meeting of this Board Members approved an Operational Marketing Plan developed in liaison with the Member Group and a marketing consultant employed directly by Urbaser. The Plan was developed to ensure information reached as many residents as possible, was cost effective and utilised both traditional and modern marketing techniques.

- 1.4.2 I have attached at **Annex 1** a copy of the Plan, including an update on each of the activities. Members will note that since the last meeting of this Board the following actions have been progressed:-

- an Introduction Leaflet about the new contractor was mailed to all residents by Urbaser;
- a flyer outlining the new service arrangements was mailed out with the Council Tax bills;
- a new waste and recycling website went live on 3rd May 2019 www.tmbc.gov.uk/recycleforall;
- a wide range of social media advertising has progressed;
- individual presentations have been made to 12 Parish/Town Councils;
- 4 roadshows have taken place in Tonbridge, Kings Hill, Hildenborough and Shipbourne;
- presentations have been made to seven community groups ranging from Tonbridge Civic Society to Wouldham Coffee Morning and Borough Green Womens Institute to the Snodland Older Persons Open Day; and
- presentations have been made to meetings of the Parish Partnership Panel and Tonbridge Forum.

- 1.4.3 The new waste and recycling website has proved to be popular with 13,415 visitors to the site between 7th May – 26th May 2019. The website includes a promotional video, frequently asked questions, pictures of the new containers and a whole host of helpful information.

- 1.4.4 The next most significant marketing activity will be the posting of the New Recycling Service Guide to all households in August 2019. Individual letters will also be sent to residents who require a 'sack collection' and those living in flats/communal areas. The Service Guide will not only explain in detail the new service arrangements but will also advise households on which day their waste will be collected.
- 1.4.5 There will also be a range of promotional activities a few weeks before the 'early bird discount' expires, to encourage residents to benefit from the reduced charge.

1.5 Resources & Waste Strategy

- 1.5.1 At the last meeting of this Board Members were advised that the Council had received a copy of the Government's new Resources & Waste Strategy covering the next 25 years.
- 1.5.2 The Government launched three major consultations in February 2019, with a closing date for response of 12th May 2019. The consultations cover the Extended Producer Responsibility, Deposit Return Schemes and most relevant to this authority, Consistent Collections. In addition to these major consultations, the Government also plan to launch a consultation on increased charges for carrier bags at some point later in the year.
- 1.5.3 With regard to Consistent Collections, the Strategy contains an ambition to have more consistent collections across Council areas, which will be achieved by this Council from 30th September through the introduction of the new service arrangements. The Strategy highlights collecting a core set of dry recycling materials together with weekly food waste collections, once again in line with this authority's new approach. It is worthy of note that included in the strategy is an ambition to explore free garden waste collections, although the document does include a caveat of this being assessed to account for new burdens being funded appropriately.
- 1.5.4 Within the report to the last meeting of this Board it was noted that this Council would most likely respond to the consultations through the Kent Resource Partnership (KRP). For those Members new to the authority, the KRP is a partnership between all the District Council's in Kent and Kent County Council to help improve waste management in Kent. A copy of the KRP response, which was considered by the Cabinet Member for Environmental Services and the Chair/Vice Chair of this Board, to the Government's three Consultations can be made available to Members upon request, and I have included the response on the Consistent Collections Consultation at **Annex 2**.

1.6 Legal Implications

- 1.6.1 The Council has a legal duty to provide waste and street cleansing services. The new Waste Services Contract was undertaken in compliance with all current legislation, including Public Contract Regulations.

- 1.6.2 The introduction of the new service arrangements is considered to assist the Council in meeting its requirements under the Waste (England & Wales) Regulations 2011, which are to provide separate collections where necessary to achieve high quality recycling.

1.7 Financial and Value for Money Considerations

- 1.7.1 At the November 2018 meeting of this Board Members received a detailed financial appraisal of the new Waste Services Contract, and the financial implications have been reflected in the 2019/20 revenue budget. The total expenditure on the contract in 2019/20 is £4.1m.
- 1.7.2 The annual gross level of income for the opt-in garden waste service is forecast to be £550,000, which is based on a take up rate of 30%. For medium term financial planning purposes as mentioned in the report to the Finance, Innovation and Property Advisory Board on 9 January 2019, it is assumed the inflationary increase in the contract sum over and above CPI is negated by a gradual increase in both the charge and the take-up of the garden waste service. In the long term, and with all other things being equal, the difference represents budget growth year on year.
- 1.7.3 The Council's Capital Plan incorporates £600,000 to reflect the need to purchase new garden waste bins and internal and external food caddies. A revenue budget of £100,000 has been approved by Council to fulfil the Operational Marketing Plan, funded in full from the Invest to Save earmarked Reserve.

1.8 Risk Assessment

- 1.8.1 A Project Steering Group has been established by this Council, Tunbridge Wells Borough Council and Kent County Council to oversee the implementation and ongoing management of the Waste Services Contract. The Steering Group is being managed in accordance with a formal Joint Working Agreement agreed by each of the Partners.
- 1.8.2 This authority is represented on the Group by the Head of Street Scene & Leisure. The Contract Partnership Manager reports regularly to the Steering Group on progress and any key issues are addressed.
- 1.8.3 Weekly meetings are being undertaken with Urbaser to ensure good levels of communication are maintained, and the Operational Marketing Plan will ensure residents are kept fully informed and encouraged to embrace the new service arrangements.

1.9 Equality Impact Assessment

- 1.9.1 A full Equality Impact Assessment (EQIA) has previously been reported to this Board and its recommendations have been implemented.

1.10 Policy Considerations

1.10.1 Communications

1.10.2 Community

1.10.3 Customer Contact

1.10.4 Procurement

1.11 Recommendations

1.11.1 It is RECOMMENDED TO CABINET that:-

- i) the representation on the Member Waste Contract Group for 2019/20 be determined;
- ii) a report be submitted to a future meeting of this Board on the Bring Bank service arrangements; and
- iii) the Kent Resource Partnership's response to the Government's consultation on the National Waste Resources & Waste Strategy be noted, and updates be reported to future meetings of this Board.

The Director of Street Scene, Leisure & Technical Services confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

contact: Darren Lanes

Nil

Robert Styles

Director of Street Scene, Leisure & Technical Services

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Waste & Recycling Contract

Detailed Marketing/ Communications Plan - Update

As at 30/05/19

Service changes
Activity Schedule

	Nov 18	Dec 18	Jan 19	Feb 19	Mar 19	April 19	May 19	June 19	July 19	Aug 19	Sept 19	Oct 19	Nov 19	Dec 19	Jan 2020	Feb 2020	Mar 2020
	5 12 19 26	3 10 17 24 31	7 14 21 28	4 11 18 25	4 11 18 25	1 8 15 22 29	6 13 20 27	3 10 17 24	1 8 15 22 19	5 12 19 26	2 9 16 23 30	7 14 21 28	4 11 18 25	2 9 16 23 30			
1 Urbaser Introduction leaflet mailed to all residents																	
2 New Service flyer mailed out with Council Tax bills																	
3 New Service Website Live																	
4 Joint press release on new contract start																	
5 New service pull up banners displayed																	
6 T&M New contract starts with 'AS' IS Service																	
7 Garden Waste Early Bird sign up period																	
8 Social Media Posts - Garden Waste Sign up																	
9 Facebook Ads - Garden Waste sign up																	
10 Posters Displayed - Garden Waste sign Up																	
11 Media Advertising - Garden Waste sign up																	
12 Digital Marketing Campaign Garden Waste Sign Up																	
13 Interim Vehicle Livery - New Service																	
14 New Recycling Service Guide posted to all residents																	
15 Garden Waste bins delivered-Early Bird subscriptions																	
16 Food Bins/Caddies delivered																	
17 Digital Marketing campaign New Recycling service																	
18 Social Media Posts -New Recycling Service																	
19 Parish Council Visits																	
20 Stickers attached to bins-what goes in which bin																	
21 Letters to 'Sack Collection' Residents																	
22 Letters to Flats/Communal residents																	
23 New service video clips on website & social media																	
24 Start New Recycling & Garden Waste collections																	
25 School Recycling Visits & Competition																	
26 Customer Services/Gateway staff Training																	
27 Roadshows/events promoting new service																	
28 Permanent Vehicle Livery																	
29 Urbaser collection App available for download																	
30 New Collections Start - Press Release																	
31 Posters Displayed - New Service																	
32 Presentation/talk requests - various groups																	
33 Parish Partnership Panel Meetings																	
34 Tonbridge Forum Meetings																	
35 Local Newspaper Advertising																	

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Consultation on consistency in household and business recycling collections in England

About you

1. What is your name?

Paldeep Bhatti

Kent Resource Partnership

2. What is your email address? paldeep.bhatti@kentrp.org.uk

This is optional, but if you enter your email address then you will be able to return to edit your consultation at any time until you submit it. You will also receive an acknowledgement email when you complete the consultation.

3. Which best describes you?

Please tick only one option. If multiple categories apply to you please choose the one which **best describes you** and which you are representing in your response. (Required)

- Local Authority**
- Waste management company
- Business representative organisation/trade body
- Product designer
- Manufacturer
- Distributor
- Retailer
- Reprocessor
- Community group
- Charity or social enterprise
- Independent consultancy
- Academic or researcher
- Individual
- Other (please provide details ...)

4. If you are responding on behalf of an organisation, what is its name?

The constituents of the Kent Resource Partnership (KRP) are the twelve district councils (the Waste Collections Authorities: WCAs) and Kent County Council (the Waste Disposal Authority: WDA). These are, in alphabetical order: - Ashford BC, Canterbury CC, Dartford BC, Dover DC, Folkestone & Hythe DC, Gravesham BC, Kent CC, Maidstone BC, Sevenoaks DC, Swale BC, Thanet DC, Tonbridge & Malling BC and Tunbridge Wells BC.

5. Would you like your response to be confidential?

Yes / **No**

If you answered 'Yes' above, please give your reason:

Part 1 Measures to improve the quantity and quality of household recycling collected by local authorities

Consultation questions on dry recycling

Proposal 1

Q5 Setting aside the details of *how* it would be achieved, do you agree or disagree with the proposal that local authorities should be required to collect a set of core materials for recycling?

- Agree – local authorities should be required, to collect a core set of materials**
- Disagree – local authorities **should not** be required, to collect a core set of materials
- Not sure/don't have an opinion

Q6 We think it should be possible for all local authorities to collect the core set of materials. Do you agree with this?

- Agree**
- Disagree – If you disagree please provide further information and evidence as to what circumstances it is not practicable to collect the full set of materials

Q7 What special considerations or challenges might local authorities face in implementing this requirement for existing flats and houses in multiple occupancy?

Some challenges associated with recycling at flats are noted below: -

- **Insufficient storage space for citizens;**
- **Insufficient bin storage space at flats/HMOs;**
- **Transient population;**
- **Language barrier (especially for those citizens who don't speak English as their first language);**
- **Lack of ownership (e.g. a minority of citizens' incorrect behaviour could result in contamination and therefore demotivate others to demonstrate the right type of behaviour); and**
- **Access roads for waste collection vehicles.**

Over the last few years, guidance from WRAP has supported Local Authorities. Recent research from Resource London / LWARB has been taken forward to look at how to support citizens living in flats to recycle well. Full report outlined below –

<https://resourcelondon.org/wp-content/uploads/2019/02/Recycling-in-reality-report.pdf>

Q8 What other special considerations should be given to how this proposal could apply to flats? Please provide additional information on your answer. **As above. Additionally, measures need to be considered to support those citizens who don't care about recycling, and who are easily able to 'mask' their behaviours when using communal bins.**

Q9 Do you have any other comments to make about Proposal 1? Please use this space to briefly explain your responses to questions above, e.g. why you agree/disagree with proposals.

Concerning Q6, we agree to the principle that it should be possible for local authorities to collect the core set of materials. Although there is needs to be appropriate waste infrastructure in the local area to be able to bulk and reprocess the materials within a reasonable distance and cost effectively.

Proposal 2

Q10 Do you believe that all of these core materials should be included or any excluded?

	This should be included in the core set	This should be excluded from the core set	Not sure/don't have an opinion/not applicable
Glass bottles and containers	<input type="checkbox"/> YES	<input type="checkbox"/>	<input type="checkbox"/>
Paper and card	<input type="checkbox"/> YES	<input type="checkbox"/>	<input type="checkbox"/>
Plastic bottles	<input type="checkbox"/> YES	<input type="checkbox"/>	<input type="checkbox"/>
Plastic pots tubs and trays	<input type="checkbox"/> YES	<input type="checkbox"/>	<input type="checkbox"/>
Steel and aluminium tins and cans	<input type="checkbox"/> YES	<input type="checkbox"/>	<input type="checkbox"/>

Q11 What, if any, other products or materials do you believe should be included in the core set that all local authorities will be required to collect?

	This should be included in the core set from the start of Consistency	This should be included in the core set but phased in over time	This should be excluded from the core set	Not sure/don't have an opinion/not applicable
Food and drinks cartons	<input type="checkbox"/> YES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plastic bags and film	<input type="checkbox"/>	<input type="checkbox"/> YES (linked to delivery of UK Plastics Pact)	<input type="checkbox"/>	<input type="checkbox"/>
Other materials (please specify)		Black Plastics Dry cell batteries		

Q12 If you think any of these or other items should or should not be included in the core set immediately please use the box below to briefly explain your view. **The initial core set of materials needs to be deliverable by councils whilst ensuring recycling rates increase robustly. For most materials (e.g. paper, metals, glass and plastic bottles) the issue is increasing the capture of these items. For plastic pots, tubs and trays these are recommended to be included in the core set from the outset as 76% of councils collect these, and there are only 'local issues' (e.g. a pre-existing contract with a waste mgmt company) that needs to be challenged and overcome. For plastic films the situation is more complex. It is recommended the UK Plastics Pact (and the Ceflex project) work hard to enable solutions for collections and that these be implemented nationally as soon as confidence in the system allows.**

Any collection of mixed dry recyclables must be supported by waste infrastructure e.g. MRF specifications can vary to only process either a twin-stream or co-mingled and this must be consistent across the country. An opportunity for industry investment into infrastructure could be realised with consistency of dry recyclates across the country.

Q13 If you think these or other items should be considered for inclusion at a later stage, what changes would be needed to support their inclusion? **It is recommended that the nationally consistent set of core materials comes into effect as soon as possible for, at least, paper, card, metals, glass and plastic bottles. If agreement is possible with local government on inclusion of plastic pots, tubs and trays then this also is put into effect from the outset.**

We have noted black plastics could be phased in over time - we recognise technology developments have/are being made to recycle black plastics but in the meantime, may be best to not be included with the core set until all across the supply chain are in agreement – this would lead to less confusion for citizens.

We have noted plastics bags and film could be phased in as part of the core set. This could be one of the key areas of work for the UK Plastics Pact.

We have also suggested that dry cell batteries be included in core set but phased in over time – this would require joint working and to conform to transport regulations regarding collection, transport and storage of batteries e.g. containerised and not mixed with dry recycling.

Q14 Do you have any other comments to make about Proposal 2?

We encourage investment in local reprocessing infrastructure with the aspirations of the Circular Economy Package, as also noted in our answer to Q9.

With regards to battery collection (as outlined in Q13), segregation would reduce the risk of fires at Transfer Stations, which will have far reaching benefits.

Proposal 3

Q15 Do you agree that the core set should be regularly reviewed and, provided certain conditions are met, expanded?

- Yes**
- No
- Not sure/don't have an opinion

Q16 Do you believe that the proposed conditions a) b) c) and d) above are needed in order to add a core material?

- Yes** – ~~but I would also add some (please specify which conditions you believe should be added ...)~~
- No – some/all should be removed (if some please specify below)
- No – some should be added and some should be removed (please specify which ...)
- Not sure/don't have an opinion

Q17 Do you have any other comments to make about Proposal 3?

With regards to Q15, this role could be fulfilled by the single not-for-profit body overseeing the transformed PRN system (Model 2 in the EPR consultation). This enables speedier consideration of issues, and implementation, than if the core set is regularly reviewed by the Government. However, the single body could work within a framework defined by the four nations and with their involvement. In all scenarios it should not be necessary for any updates to the core set of materials to need legislation. The proposed Environment Bill in 2019 should specify the conditions under which the core set can be reviewed and implemented.

Consultation questions on separate food waste collection

Proposal 4

Q18 Which aspects of the proposal do you agree and disagree with?

	Agree	Disagree	Not sure/don't have an opinion/not applicable
(i) at least a weekly collection of food waste	<input type="checkbox"/> YES	<input type="checkbox"/>	<input type="checkbox"/>
(ii) a separate collection of food waste (i.e. not mixed with garden waste)	<input type="checkbox"/> YES	<input type="checkbox"/>	<input type="checkbox"/>
(iii) services to be changed only as and when contracts allow	<input type="checkbox"/> YES	<input type="checkbox"/>	<input type="checkbox"/>
(iv) providing free caddy liners to householders for food waste collections	<input type="checkbox"/> *YES	<input type="checkbox"/>	<input type="checkbox"/>

***As long as funding is available from Government, as outlined with the consultation.**

Q19 Are there circumstances where it would not be practical to provide a separate food waste collection to kerbside properties or flats.

- Yes – the lack of space within flats could present a practical issue when providing a separate food waste collections. Small terraced houses with no storage could also be an issue as there would be a lack of space.**
- No
- Not sure/don't have an opinion

Q20 Do you have any other comments to make about Proposal 4 including on circumstances where it may not be practical to provide a separate food waste collection?

We welcome government's statement on pages 27/28;

'Given the additional costs involved in separate food waste collection the government will ensure that local authorities are resourced to meet new costs arising from this policy including upfront transition costs and ongoing operational costs'

We would be keen to understand how this would work in practice, especially with ongoing operational costs including waste disposal infrastructure required to deal with food recycling collections e.g. waste transfer station storage on site and then being hauled to a reasonably located Anaerobic Digestion plant.

We would also welcome reassurances that councils which have already used their own resources to introduce food recycling services – possibly at the expense of others services – would not indirectly be penalised if councils introducing the service receive a disproportionate amount of funding.

Proposal 5

Q21 If you are responding on behalf of a local authority, what kind of support would be helpful to support food waste collection? (tick as many as apply)

- I am not responding on behalf of a local authority
- Specific financial support (e.g. set up and ongoing costs, including compensatory payments to councils who have committed investment to food recycling services)**
- Procurement support, (e.g. free advice on renegotiating contracts; centralised purchasing of containers)**
- Communications support, (e.g. free collateral that can be adapted and used locally)**
- Technical support, (e.g. free advice from a consultant about round re-profiling)**
- Other – we advocate a partnership approach involving the whole packaging/food value chain to support local authorities. Additionally it is imperative councils' Recycling & Waste Departments end-up with more financial resources as a result of the set of Defra consultations. To that end, we are clear that PRN funds to local authorities must be ring-fenced to the Recycling & Waste Departments AND that those departments existing funding from Council Tax and any other sources is also protected.**
- Other – as previously mentioned, support towards the appropriate waste infrastructure required across the country e.g. Anaerobic Digestion plants.**

Q22 Do you have any other comments to make about Proposal 5?

None come immediately to mind at this time.

Proposal 6

Q23 What are your views on this proposal?

For practical reasons at this time, we agree to the principle that councils should be able to collect food waste separate from green garden waste, and then be permitted to comingle both products together in an In-Vessel Composting facility that they are already contracted to.

This Policy does, however, raise the question as to the type of future composting facilities all councils should move towards. Our recommendation is that the Government should explore the pros and cons (environmentally, economically, technically and socially) of phasing out IVC facilities in favour of anaerobic digestion facilities.

For citizens to recycle and long-term behavioural change to be maintained, there must be reassurance that the material they are recycling is genuinely recycled. Negative media stories (whether perceived fake or real) can create long-term damage to citizens recycling behaviours. If media reported that the recycling materials citizens had taken time and effort to segregate was being combined, it not only potentially effects the citizens motivation to recycle this waste stream but others too.

Consultation questions on collecting garden waste

Proposal 7

Q24 Which aspects of the proposal do you agree or disagree with?

	Agree	Disagree	Not sure/don't have an opinion/not applicable
(i) a free garden waste collection for all households with gardens	<input type="checkbox"/>	<input checked="" type="checkbox"/> DISAGREE	<input type="checkbox"/>
(ii) A capacity to 240l (bin or other container eg sack)	<input type="checkbox"/>	<input checked="" type="checkbox"/> DISAGREE	<input type="checkbox"/>
(iii) A fortnightly collection frequency (available at least through the growing season)	<input checked="" type="checkbox"/> AGREE	<input type="checkbox"/>	<input type="checkbox"/>
(iv) ability to charge households for additional capacity/collections/containers over the set minimum capacity requirement	<input checked="" type="checkbox"/> AGREE	<input type="checkbox"/>	<input type="checkbox"/>
(v) this new requirement to start from 2023 (subject to funding and waste contracts)	<input type="checkbox"/>	<input checked="" type="checkbox"/> DISAGREE	<input type="checkbox"/>

Q25 Do you have any other comments to make about Proposal 7?

Part 1 above: we support that councils should retain their ability to charge a fee to citizens for collections of green garden waste (separately from food waste) from homes.

Part 2 above: we support that citizens should be able to purchase the size of bin that matches their needs (e.g. a very large garden may need a bigger bin than 240 litres alternatively a smaller bin of 140 litres may be okay). If a council wishes to offer a larger bin (e.g. 360 litres) as part of its customer offer, then that should be allowed.

Part 3 above: we agree.

Part 4 above: we support that councils should continue to be permitted to charge citizens for additional collection services, not just those that are in addition to the proposal for a minimum capacity requirement.

Part 5 above: allowing councils to continue with existing collection and charging arrangements for separate green garden waste collections means there is no need to wait until 2023 to implement a revised scheme as proposed. Rather, we feel the government should focus its energy on supporting those councils with mixed garden & food collections to separate those collections. This will enable residents to have a free-of-charge food waste collection alongside a chargeable green garden waste collection (the latter being subject to a council's own determination on the need for charges).

This policy could also demotivate citizens from composting at home, increase carbon emissions and traffic congestion.

Consultation questions on separate collection to improve quality

Proposal 8

Q26 Do you agree the proposed approach to arrangements for separate collection of dry materials for recycling to ensure quality?

- Yes
- No – the KRP has a record of accomplishment of delivering quality dry materials for recycling at value for money to the Kent taxpayer. As part of WRAP's consistency programme in 2016, the East & Mid Kent councils were identified as areas of good practice, especially through delivering benefits of consistency in recycling collections. Full details can be found here - <http://www.wrap.org.uk/collections-and-reprocessing/consistency>**
- Not sure/no opinion/not applicable

Q27 What circumstances may prevent separate collection of paper, card, glass, metals and plastics? Please be as specific as possible and provide evidence.

As outlined within the consultation document (pg.35), the following circumstances may prevent separate collection –

- **Collecting certain types of materials together does not affect their potential to undergo reuse, recycling or recovery operations and results in output from those operations which is of comparable quality to that from separate**

collection;

- **Separate collection does not deliver the best environmental outcome;**
- **Separate collection is not technically feasible taking into account good practice in waste collection;**
- **Separate collection would entail disproportionate cost, taking into account costs of adverse environmental and health impacts of mixed waste collection and treatment, as well as potential for efficiencies from separate collection and revenues from secondary material sales and polluter pays principles.**

Q28 Do you have any other comments to make about Proposal 8?

None come immediately to mind at this time.

Consultation questions on bin colour standardisation

Proposal 9

Q29 Do you agree or disagree with this proposal?

- Agree – bin colours **should** be standardised for all waste streams
- Agree in part – bin colours should be standardised for some waste streams but not all (specify which ...)
- Disagree – bin colours need not be standardised for any waste streams**
- Not sure/no opinion/not applicable

We agree that bin labels could be standardised using the Recycle Now iconography and colours. If it is also possible to standardise bin colours then that is desirable, though we would not want a situation where existing bins across the country are rendered ‘useless’ overnight. We’d also add that it would be unfortunate if the principal aim of this consultation, namely consistency of recyclables, is undermined by a far less serious issue of the colour of bins. The recyclables prize is far more important at this time, and we recommend focusing attention on achieving that as a priority.

Q30 There would be potential for significant costs from introducing standardised bins colours from a specific date. What views do you have on a phased approach or alternative ways to standardising the colours of containers for different materials?

- Phased approach 1 – as and when waste contracts are renewed. Though it is more about the replacement of ‘bin fleets’ rather than waste contracts, though the two are sometimes synchronous (i.e. bins may last 10 to 15 years or longer whereas some waste collection contracts last for 10 years or shorter).**
- Phased approach 2 – as and when old/unserviceable bins are replaced – we struggle to see how a phased approach would work in a council’s area. Presumably the bins would change colour on a house-by-house basis over a long time, which is a nightmare for the citizens to know which bin to put out that week, and also for the waste collector who will need to open bins of different colours at each household to see what is inside, which substantially delays the service and risks major contamination of recyclates. This could also significantly make good quality bins redundant (and therefore generate plastic waste), which would be contrary to the waste hierarchy. The costs of transitions would also be expensive.**
- Other ways please specify...

Q31 Do you have any other comments to make about Proposal 9? **Not at this time.**

Consultation questions on service standards

Proposal 10

Q32 Do you agree or disagree with the proposal to publish statutory guidance?

- Agree – government should publish statutory guidance.**
- Disagree – government **should not** publish statutory guidance
- Not sure/no opinion/not applicable

Q33 We propose reviewing the guidance every few years, revising it as required and then allowing sufficient lead-in time to accommodate the changes. Do you agree or disagree with this timescale?

- Agree
- Disagree – it should be more often.**
- Disagree – it should be **less often**
- Not sure/no opinion/not applicable

Q34 Subject to further analysis and consultation we propose to use the guidance to set a minimum service standard for residual waste collection of at least every alternative week. Do you agree or disagree with this proposal?

- Agree**
- Disagree – it should be **more often**
- Disagree – it should be **less often**
- Not sure/no opinion/not applicable

Q35 Do you have any other comments to make about Proposal 10?

Concerning Q32, we believe the government should do this for the guidance but then, once the single not-for-profit body is established under Model 2 of the EPR consultation, this body should have responsibility for issuing subsequent guidance within an agreed framework.

Concerning Q33, we suspect the government may not have the capacity (or have it as a priority) to review the guidance every few years. We feel the much better system would be for the single not-for-profit body established under the EPR system to have responsibility for reviewing guidance on an ongoing basis. It will be for this body to issue guidance so that service standards can keep-up with societal developments.

Concerning Q34, we generally agree however it may be appropriate for councils to deliver weekly residual waste collections to some citizens e.g. those households above shops in very busy city areas where a more regular service to them MAY be more appropriate for ant-litter reasons. Also for small terrace houses and some areas with high student HMOs, where space is limited.

Consultation questions on communicating about recycling

Proposal 11

We will continue our support for Recycle Now and the tools produced by WRAP to help local authorities to communicate effectively on recycling.

Q36 Do you have any comments to make about Proposal 11? **We support it.**

Q37 What information do householders and members of the public need to help them recycle better?

- 1). Awareness of core set of materials for recycling, and collections days/times.
- 2). Labelling on packaging that provides a crystal clear choice of which bin that item goes into at the point of disposal – the recycling bin, or the waste bin. Eradicate the ‘Check locally’ option.
- 3). Community expectations of how citizens should use their recycling and waste services.
- 4). Clear information on how they can recycle items when on-the-go.

Just to emphasise that these information sets need to work coherently together, which requires that the system works coherently. If the latter remains incoherent then we can't be surprised if things like packaging labelling is forced to remain vague with such things as ‘Check locally’ needing to be retained. Our wish is to remove Check locally, which means every part of the system needs to be challenged to enable that aim to be achieved.

Proposal 12

Q38 Do you agree or disagree with this proposal?

- Strongly Agree – government should work with local authorities and other stakeholders on this**
- Disagree – government **should not** work with local authorities and other stakeholders on this
- Not sure/no opinion/not applicable

Q39 Do you have any other comments to make about Proposal 12?

We believe it should be mandatory for information on ‘end destinations of recyclates (EDR)’ to be produced for citizens to see for themselves what happens to their recyclates. In 2012, the KRP were founding signatories to the Resource Association’s EDR Charter. Since then, the KRP has published its ‘Materials End Destinations Publications’ on an annual basis. These publications can be found here –

<https://www.kent.gov.uk/about-the-council/partnerships/kent-resource-partnership/governance-documents>

We encourage other councils and waste companies to sign-up to the EDR Charter too. Any public communications regarding end destinations should be relatable and digestible in a simple and engaging format.

Consultation questions on end markets

Proposal 13

Q40 Please use this space to briefly explain any comments you have on the issues discussed in this section.

We believe it is in the national interest for the four nations to have National Plans to decrease UK reliance on foreign countries to process the UK's recyclates and waste. To that end, we support the single not-for-profit body proposed in Model 2 of the EPR consultation having the responsibility to consider and make recommendations on domestic infrastructure that supports the ambitions of the four nations.

Consultation questions on non-binding performance indicators

Proposal 14

We propose developing a set of non-binding performance indicators for local authorities to use to monitor waste management and recycling and to highlight where services can be improved to delivery higher recycling and minimise waste. In addition to the headline household recycling rate for the local authority we would propose 4 additional indicators covering the yields of dry recycling, food waste for recycling, garden waste for recycling, and residual waste. We would also work with local authorities to develop these and other indicators to reflect areas such as quality or contamination levels and service delivery.

Q41 Do you agree or disagree that introducing non-binding performance indicators for waste management and recycling is a good idea?

- Agree**
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q42 Do you agree or disagree that the proposed indicators are appropriate?

- Agree**
- Disagree (please expand ...)
- Not sure/no opinion/not applicable

Q43 Do you have any comments to make about Proposal 14 or examples of indicators currently in use that may be of assistance?

We support the proposed measures but wish to go further. Whilst this section focuses on local government only, we believe that all the data & performance systems relating to the flows of packaging need to align. This includes objectives, definitions and targets of (for example) Waste Data Flow, Fly Capture, the National Packaging Waste Database, and any new systems arising out of implementing packaging EPR proposals, and a potential GB or UK deposit return scheme. We suggest that the single not-for-profit body in Model 2 of the EPR consultation could have a major role to play in overseeing that all the data systems work harmoniously and efficiently together.

Consultation questions on alternatives to weight-based metrics

Proposal 15

We will look at metrics that can sit alongside weight-based metrics and will work with stakeholders to develop these as set out in the Resources and Waste Strategy.

Q44 Do you agree that alternatives to weight-based metrics should be developed to understand recycling performance?

- Agree – this has been identified as part of the KRP’s recently refreshed Kent Joint Municipal Waste Management Strategy (KJMWMS – web link [here](#) for information)**
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q45 Do you agree that these alternatives should sit alongside current weight-based metrics

- Agree**
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q46 What environmental, economic or social metrics should we consider developing as alternatives to weight-based metrics?

Another environmental metric could be the amount of CO2/methane avoided due to other disposal alternatives, rather than landfill. The KRP have made great strides with this. In 2007/08, the 13 Kent councils sent 53% to landfill – 2017/18 figures now show as little as 1% ends in landfill.

Consultation questions on joint working

Proposal 16

We want to support and enable greater collaboration and partnership working between authorities where this would accelerate the move to consistent collections and improve recycling and delivery of services.

Q47 Could greater partnership working between authorities lead to improved **waste management and higher levels of recycling?**

- Strongly Agree**
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q48 What are the key barriers to greater partnership working?

Page 49 of the consultation document outlines a number of possible barriers for councils when taking forward joint working. For over 10 years, the KRP has built a track record partnership working. This has been taken forward and underpinned by some key principles. These are noted below –

- **The 13 Kent councils are committed to delivering the Kent Joint Municipal Waste Management Strategy (KJMWMS).**

- The 13 Kent councils adopt a 'whole service cost' approach by placing the Kent taxpayer at the heart of strategic decisions;
- There is openness and trust between the 13 Kent councils, including 'open book' accounting and sharing of data; and
- Each council should be better off than their original financial baseline position;

As well as working as a partnership of 13 Kent councils, the KRP has been proactive in working with the whole of the supply chain too.

Q49 How might government help overcome these barriers?

Q50 Do you have any other comments to make about Proposal 16?

We agree that one of the barriers is proximity and access to waste transfer infrastructure and as such this lack of infrastructure could be address by Government. This could be in the form of capital funding in the same way that it funds Highway Authorities to finance improvements and maintenance of the highways network. This could be seen as national infrastructure serving an essential part of the economy.

Part 2 Measures to improve recycling by businesses and other organisations that produce municipal waste

Consultation questions on measures to increase recycling from business and other organisations that produce municipal waste

Proposal 17

Q51 Do you agree or disagree that businesses, public bodies and other organisations that produce municipal waste should be required to separate dry recyclable material from residual waste so that it can be collected and recycled?

- Agree**
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q52 Which of the 3 options do you favour?

- Option 1 mixed dry recycling and separate glass recycling; no food waste collected for recycling
- Option 2 mixed dry recycling and separate food recycling; no glass recycling
- Option 3 mixed dry recycling, separate glass recycling, separate food recycling
- Something else (please expand ...) Mixed dry recycling (which could include glass), separate paper & card, separating food recycling**
- Not sure/no opinion/not applicable

Q53 We would expect businesses to be able to segregate waste for recycling in all circumstances but would be interested in views on where this may not be practicable for technical, environmental or economic reasons

- Yes – it should be practicable to segregate waste for recycling in most circumstances.**
- No – some exceptions are needed for particular circumstances (please provide examples below)
- Not sure/no opinion/not applicable

Q54 Should some businesses, public sector premises or other organisations be exempt from the requirement?

- Yes**
- No
- Not sure/no opinion/not applicable

Q55 Do you have any other comments to make about Proposal 17? For example, do you think that there are alternatives to legislative measures that would be effective in increasing business recycling?

Concerning Q53, businesses that have a lack of space for bins may be an issue – sacks therefore may be the most appropriate alternative. In this type of situation, food recycling may also cause an issue too.

Concerning Q54, one example is that the new system would need to take account of how to relate to premises that generate hazardous wastes (e.g. doctor's surgeries) and what materials they would be allowed to put into recycling bins that have ensured zero cross-contamination.

Proposal 18

Q56 Do you agree or disagree that businesses, public bodies or other organisations that produce sufficient quantities of food waste should be required to separate it from residual waste so that it can be collected and recycled?

- Agree**
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q57 Do you agree or disagree that there should be a minimum threshold, by weight, for businesses public bodies or other organisations to be required to separate food waste for collection?

- Agree**
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q58 Do you have any views on how we should define 'sufficient' in terms of businesses producing 'sufficient' quantities of food waste to be deemed in scope of the regulations?

If a minimum threshold is to be applied, businesses which are likely to generate enough food waste each day to make a collection technically, economically and environmentally practicable would be considered to be generating 'sufficient' food waste to require a collection.

Q59 Do you have any views on how we should define 'food-producing' businesses?

Businesses where food is the core business i.e. produced, packaged or prepared for consumption either on or off site could be defined as 'food-producing'. This could include processing and packaging businesses in addition to restaurants, cafes and takeaways. We feel all organisations which produce enough food waste to justify a food recycling service should be included, this would therefore include e.g. larger businesses where employees bring their own food on site and not just those categorised as 'food-producing'.

Q60 In addition to those businesses that produce below a threshold amount of food waste, should any other premises be exempt from the requirement?

- Yes
- No**
- Not sure/no opinion/not applicable

Q61 Do you have any other comments to make about proposal 18?

Concerning Q56, we support this proposal as it then dovetails with the requirements citizens are expected to demonstrate within their households too. This consistency across household and business should help drive behaviour change in both sectors and therefore increase capture of food recycling. It would also likely help to normalise

separating food for recycling.

Concerning Q57, the threshold needs to be per facility / building / office rather than on a UK business as a whole.

As a more wider point and in accordance with the waste hierarchy, mandating food recycling should not be at the expense of encouraging food waste reduction. It is essential that food recycling (if mandated), would operate in parallel with other national initiatives to reduce food waste.

Proposal 19

If the proposals above are adopted, we would like to support businesses, public sector and other organisations to make the transition. In particular we would like to find ways to reduce the impact on small and micro businesses.

Q62 What are your views on the options proposed to reduced costs?

We generally support the principle of these options. There is a slight concern re. the option of collecting household waste and business waste together as there are no indicative plans on how the waste infrastructure may serve such a vast increase of material storage, bulking, haulage and end-processing capacity. It could also see a whole new sector to engage with regarding quality and would have data & infrastructure implications.

Q63 Are there other ways to reduce the cost burden that we have overlooked?
This cannot be considered a viable proposal without considering the disposal infrastructure to allow it to happen.

Q64 Do you have any other views on how we can support businesses and other organisations to make the transition to improved recycling arrangements?
It could be considered to making recycling less costly for businesses compared with residual waste collection and disposal in order to incentivise businesses.

Business waste data

Proposal 20

Q65 Do you have any views on whether businesses and other organisations should be required to report data on their waste recycling performance?

- Agree**
- Disagree (why ...?)
- Not sure/no opinion/not applicable

Q66 Do you have any other comment on Proposal 20?

Concerning Q65, agree though it may be that the organisation is best placed to do this in practice but may be a waste management company acting on behalf of a business. Nonetheless, the onus should be on the business itself. It would also be helpful for the business to adopt a transparent approach.

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TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

11 June 2019

Report of the Director of Planning, Housing & Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 PRIORY WOOD, TONBRIDGE – LANDFILL GAS INVESTIGATION

SUMMARY

1.1 Since 1988 TMBC has been monitoring landfill gas levels at the Priory Wood site in Tonbridge which now comprises a public open space owned and maintained by the Council. In light of issues at the former Jocopit site in Borough Green, where increased gas levels at one borehole were recorded and which required detailed investigation, a review of the Priory Wood site was also deemed necessary.

1.2 Background

1.2.1 The site known as Priory Wood is a closed landfill site which now consists of a public open space that is popular with dog walkers. The site lies to the southeast of Deakin Leas in Tonbridge and is bordered on its eastern and southern sides by the Tonbridge to Hastings railway line and the A21 respectively (See attached plan in **[Annex 1]**). The site was quarried before accepting waste between approximately 1956 and 1975.

1.2.2 The first site investigations began at Priory Wood in 1987 when TMBC approached Aspinwall & Company Ltd (experts at that time) to carry out a site investigation and assessment regarding the proposed use of the site as a public open space. Between 1988 and 1994 a total of 14 borehole monitoring points for landfill gas were installed across the site through various investigations, including by the KCC Waste Disposal Section as was. Between 1994 and 1996 further gas control measures were installed including a 10m deep vent trench and pump compound along the sites western boundary with Deakin Leas. Gas monitoring has been undertaken by TMBC since 1988 at a selection of boreholes.

1.2.1 Over time monitoring boreholes have become lost by overgrown vegetation or unusable due to ground movements breaking connections, and currently only 2 remain along with an additional monitoring point on the gas pump.

1.3 Desktop Study

- 1.3.1 Following detailed landfill gas investigations and subsequent agreement to carry out new borehole drilling and enhanced monitoring at the former Jocopit site in Borough Green, the decision was taken to appoint Leap Environmental to carry out a desktop study of the Priory Wood site, as the only other site in the Borough with a similar history. That study has found that whilst there are no current peaks in landfill gas levels recorded at Priory Woods, there is now a lack of monitoring coverage given only two boreholes remain in use along with a monitoring point on the gas pump.
- 1.3.2 The conclusions of Leap's desktop study state that there are potentially unacceptable risks from the perspective of Part 2A of the Environmental Protection Act 1990, relating primarily to elevated ground gas levels. However due to the limitations in the data available, it is recommended that an intrusive investigation including the installation of new gas monitoring boreholes and an extended period of monitoring will allow a robust gas risk assessment to be undertaken.
- 1.3.3 Based on their conclusions, Leap provided a quotation for a site investigation in order to provide a better understanding of the landfill gas conditions across the site. The scope included the drilling of 17 new boreholes, which will be monitored fortnightly for 1 year. Soil samples taken from the boreholes will also be tested to calculate the depth of the landfill cap across the site and the potential risk posed from landfill material.
- 1.3.4 It has also been identified that there is no service contract on the gas control pump, which forms a critical part of the gas control system. Specialist engineers have visited the site very recently, and the pump is reported to be in good working order however it is not fitted with telemetry or an alarm to signal a malfunction.

1.4 Current Progress

- 1.4.1 Given there are no current peaks in gas levels recorded at site, no emergency dispensation from procurement rules was sought on this occasion, and two additional quotes from reputable companies were sought in addition to that provided by Leap Environmental for the provision of 17 new monitoring boreholes and risk assessment work. All three quotes can be seen in [Annex 2]. The cheapest quote was provided by Ecologia at £26,649.55.
- 1.4.2 During the procurement process one company queried the type/depth of borehole to be used, and advice was sought from an Environment Agency expert. They concluded that the type described in Leap Environmental's proposal was suitable but did suggest the number of proposed boreholes given the site and setting was 'a bit more than is likely to be cost effective for this particular site'. A copy of this correspondence can be seen in [Annex 3].

- 1.4.3 A revised quote for a reduction in the number of monitoring boreholes was therefore sought from all three companies reducing the number from 17 to 8. However the difference in price between a full scheme and a reduced scheme only resulted in a saving of circa £7500 on the quote from the cheapest company Ecologia.

1.5 Next Steps

- 1.5.1 Taking into consideration the quotes provided, if gas is discovered and more boreholes are required to conduct an adequate risk assessment then remobilisation costs would exceed this modest (£7500) saving. It is therefore recommended to press ahead with a scheme of works as originally recommended in the desktop study.
- 1.5.2 At the time of writing references are being sought as to Ecologia's suitability. If there are no issues, then Ecologia will be retained to install the 17 new boreholes and begin the gas monitoring, with the ultimate aim of producing a robust gas risk assessment for the site.
- 1.5.3 Following a steering group process as utilised in the Jocopit investigation we have assessed the risks associated with the potential outcomes of this study and have concluded that at this time there is not a need to contact householders bordering the site. At Jocopit contact was made with households due to the fact that the households had been built on top of the closed landfill, which is not the case at Priory Wood. This will however be closely monitored and when initial results are known, officers will consider engagement with local residents in consultation with relevant members.
- 1.5.4 A service contract of the gas pump was also recommended and a company who can carry out such specialist works has been identified and can be retained to carry out quarterly inspections for £1280 per annum excluding parts and labour on any repairs required.
- 1.5.5 It was also recommended that the Council consider installation on the gas pump of a telemetry unit, or an alarm to signal a malfunction. This recommendation will also be progressed in due course in line with procurement rules in appropriate.

1.6 Legal Implications

- 1.6.1 Part 2A of the Environmental Protection Act 1990 places a duty on all local councils to investigate where land in its area might have been contaminated because of the way it was used in the past or how it is currently used. The council then has to put any sites they find in order of priority based on the risk they might cause to human health or the wider environment. We have been doing this in line with our Contaminated Land Inspection Strategy.

- 1.6.2 Having identified a potential issue at this location, it is our duty to carry out further investigations. The initial intent of the further investigations is to demonstrate that there are no significant issues that can be reasonably identified, in which case no further action need be taken other than an appropriate regime of future monitoring. Should the study by our consultants demonstrate higher levels of gas production from the site than we are currently aware, then we will then need to assess whether the gas is capable of entering homes, so further monitoring inside dwellings may be required in the future, which the Council would be required to fund.
- 1.6.3 On the conclusions of investigations and in the context of advice from our consultants and expert legal advice the Council will need to consider whether the site should be 'declared' under part 2A of the Contaminated Land regime and, if appropriate, develop a remedial strategy with affected homeowners.

1.7 Financial and Value for Money Considerations

- 1.7.1 No provision for the cost of these investigative works is, or could reasonably have been, specifically included in the Council's budget and funds for this initial study will have to be found from reserves. Should it be necessary to extend the nature of investigations to include residential properties then additional funds will need to be identified in due course.
- 1.7.2 The Director of Planning Housing and Environmental Health has not sought a waiver of the Councils Procurement Rules in this instance and three reputable companies have provided written quotes for similar schemes.
- 1.7.3 The company proposed to be retained 'Ecologia' have provided the cheapest quote and will have provided references including work for other Local Authorities, before any work commences.

1.8 Risk Assessment

- 1.8.1 Part of the investigation into potential contaminated land required under Part 2A of the Environmental Protection Act 1990 includes the creation of a detailed risk assessment for the site. The purpose of these works is to obtain sufficient data for a robust risk assessment to be created.

1.9 Policy Considerations

This investigation is in line with the Councils Contaminated Land inspection strategy updated in 2016 which can be found online at <https://www.tmbc.gov.uk/services/environment-and-planning/pollution/pollution-control-contaminated-land>.

1.10 Recommendations

- 1.10.1 It is **RECOMMENDED** that Cabinet **ENDORSE** both the commencement of detailed landfill gas investigation and risk assessment work at the Priory Wood site using a suitable contractor, and also the provision of a service contract and upgrade of the gas pump on site.

The Director of Planning, Housing & Environmental Health confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers:

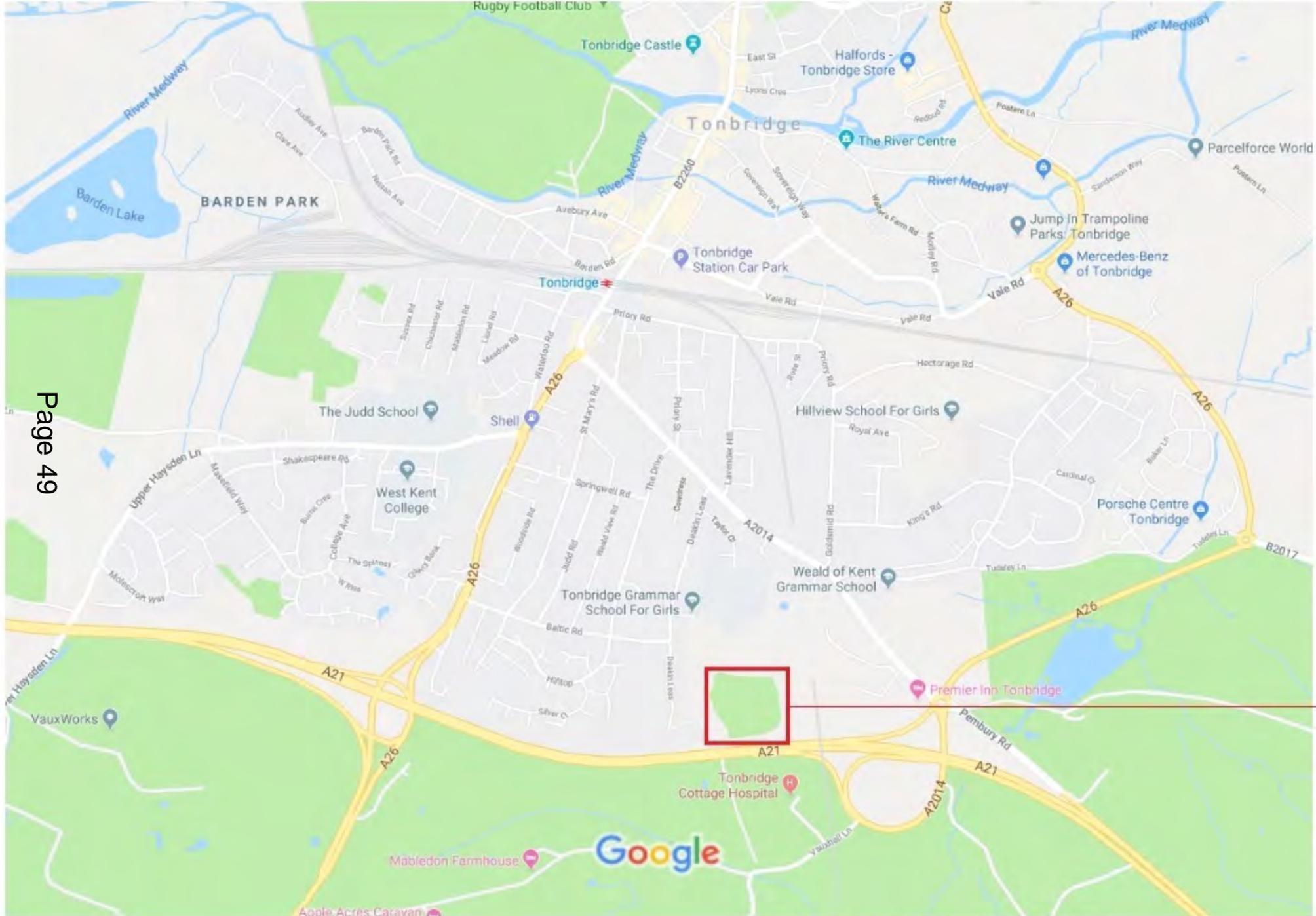
Nil

contact: Linda Hibbs
Crispin Kennard

Eleanor Hoyle
Director of Planning, Housing and Environmental Health

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Priory Wood



Page 49

Site

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Kirstie Parr
Scientific Officer (Contaminated Land)
Tonbridge & Malling Borough Council
Gibson Building
Gibson Dr
Kings Hill
West Malling
ME19 4LZ

Ecologia Ref: 19.091.1

28/03/2019

Dear Kirstie

Request for quote - intrusive site investigation (landfill), Priory Wood.

Thank you for your request for a quotation in relation to the former landfill at Priory Wood.

It is understood that TMBC has previously commissioned a desk study for the site and wishes to more accurately assess the landfill gas situation on the site and has provided a scope of works as follows:

- 17 new standpipes for gas and groundwater/leachate monitoring
- Soil contamination testing at each borehole
- Surface water/standpipe water contamination testing
- Gas monitoring visits – fortnightly for a year
- Preliminary GQRA on completion of site works and receipt of chemical test results
- Quarterly letter report
- Site specific QRA
- Attendance at public meetings/client meetings

Health and Safety

All works are to be undertaken in accordance with the provisions of the Health and Safety at Work Act 1974.

Ecologia operate a Health and Safety system whereby appropriate risk assessments and method statements will be prepared. The works are expected to fall within The Construction (Design and Management) Regulations 2015 (CDM) and we assume you are aware of your duties under these regulations.

Preparatory Works

Prior to commencement of drilling works, Ecologia operate a permit to dig system to ensure (as far as is practicable) the safety of all work personnel from the striking of buried services. As part to the permit to dig process, Ecologia will require site plans showing the locations of buried services to include (as a minimum) electricity, gas, telecommunications and water supply.

Building 711 & 712
Kent Science Park
Sittingbourne
Kent ME9 8BZ UK

TEL +44 (0)1795 471611
FAX +44 (0)1795 430314
info@ecologia-environmental.com



Registered in England No: 3951107
Ecologia is the trading name of Ecologia Environmental Solutions Ltd.
Registered Address: Kent Science Park, Sittingbourne, Kent ME98AG



Ecologia have allowed for the provision of cable avoidance tools assisting with detecting possible buried services.

Costs

Table 1. Proposed Costs

Item	Description	Cost (£)	
17 new standpipes for gas and groundwater/leachate monitoring			6,187.00
Risk Assessment & Method Statement Report	Risk Assessment & Method Statement Report – provide RAMS prior to intrusive investigations	600.00	
Statutory Service Search	Time contacting providers – disbursements at cost	425.00	
Service Clearance Survey	Full utility trace at each investigation location including preparation of plan with services overlaid	Included	
Engineering site supervision	Site supervision by qualified Engineer	907.80	
Site welfare	Provide site welfare facilities	Included	
Chapter 8 fencing	Provide Chapter 8 pedestrian barriers for temporary protection of borehole locations	Included	
Windowless sampling	Daily establishment of tracked windowless sampling rig and operator	2,115.00	
Sample liners	17 x 3m boreholes	185.00	
50mm standpipe	Provide and install 50mm HDPE standpipe including pea shingle surround 3m install per location – x17	1,234.20	
Steel cover – vertical	Provide and install	720.00	
Soil contamination testing at each borehole			2,622.70
TOC	TOC tests 3 per borehole	154.30	
Soil testing	Allow 1.5 samples per borehole (metals, asbestos, PAH, TPH, CWG, VOC)	2,468.40	
Surface water/standpipe water contamination testing			555.00
Water testing	Allow for surface water/standpipe water testing – 6 tests from standpipes and 3 from surface water	555.00	
Gas monitoring visits – fortnightly for a year			12,329.85
Gas monitoring	Fortnightly visits for 1 year	12,329.85	
Gas and water monitoring	Provision of monitoring and sampling apparatus	Included	
Preliminary GQRA on completion of site works and receipt of chemical test results			1,750.00
Interpretative report	GQRA preliminary report on completion of site works and receipt of chemical test results	1,750.00	
Quarterly letter report (x4)			800.00
Letter report	Including up to 2hrs engineering time in analysis of results and recommendations – quarterly letter report	800.00	
Site specific QRA			1,780.00
Quantitative risk assessment	Site specific QRA	1,780.00	
Attendance at public meetings/client meetings			625.00
HPE hourly consultancy rate	Rate for additional consultancy e.g. attending public meetings, liaison with client ~10 hours	625.00	
TOTAL			26,649.55

Twenty-Six Thousand Six Hundred Forty Nine Pounds, Fifty Five Pence + VAT
£ 26,649.55 + VAT
 Payment Terms TBC.
 Proposed payment schedule
 20% mobilisation then monthly for the work undertaken
 This quotation is valid for 90 days



We have provided below our standard rates should additional support, attendance at meetings etc be required.

Table 2. Ecologia Standard Rates

Grade	Rate (£/hr)
Director	90
Principal Consultant / Senior Project Manager	69
Technical Manager / Project Manager / Senior Consultant	62
Consultant	56
Environmental Scientist	49

Mileage is charged at £0.63/mile for any additional meetings/attendance/visits required.

Project Management and Reporting

Ecologia implement a strict project management protocol to ensure project work progresses towards agreed milestones within the programme time frame. Ecologia places great importance during work programmes on good communication and opportunities for discussions with the client. During all programmes the progress of work is communicated to the client on a regular basis. Due to the nature of our work, Ecologia always reserves the right to discuss the implications of results with the client, and by further discussion to alter the scope of the programme and the price, terms and conditions if needed.

Supply of Information, Exclusions & Assumptions

The following information is / may be required:

- Base mapping to be supplied (e.g. Promap) with license if drawings are to be produced.

No allowance for a site walkover is made as part of the scope. Therefore, the following assumptions are made (additional costs may otherwise be incurred):

- No pedestrian and vehicular access restrictions, including access to investigation locations (e.g. from overhead lines, concrete or hard surfacing, vegetation, structures, services/manholes, ponding etc.)
- No ecological and/or archaeological constraints

Closure

We trust the above interprets your requirements adequately, should you have any queries then please don't hesitate to contact the undersigned.

Yours Sincerely,

For and on behalf of Ecologia

Prepared by:

Roddy Buchanan
Principal Consultant

Authorised by:

Giacomo Maini
Managing Director

Leap Environmental Ltd
The Atrium
Curtis Rd
Dorking
Surrey
RH4 1XA
United Kingdom

Phone 01306 646510
Fax 01306 646511

info@leapenvironmental.com

VAT Reg No. 929 6025 08

To

Crispin Kennard

Tonbridge & Malling Borough Council
Gibson Building
Gibson Drive, Kings Hill
West Malling, Kent ME19 4LZ

Date: 27/02/2019

Project Name : Priory Wood– Shallow Soils Investigation
Quote Number LPQ005610

Item	Description	Qty	Rate	Amount	Tax
	EXPLORATORY LEVEL SHALLOW SOILS SITE INVESTIGATION				
Risk Ass. & Method Stat. Report	Risk Assessment and Method Statement Report - Provide RAMS prior to intrusive investigations	1	300.00	300.00	S
Statutory Service Search	LEAP time contacting Providers - disbursements at cost - allow	1	500.00	500.00	S
Service Clearance Survey	Full utility trace at each investigation location (5m grid around investigation position) including preparation of plan with services overlaid.	1	2,125.00	2,125.00	S
Engineering site supervision	Site supervision by qualified Engineer / Geologist	3	625.00	1,875.00	S
Site Welfare	Provide site welfare facilities (Cost per week)	1	900.00	900.00	S
Chapter 8 Fencing -1	Provide Chapter 8 Pedestrian Barriers for temporary protection of borehole locations 18 x 3m boreholes	1	75.00	75.00	S
Windowless Sampling	Daily establishment of tracked Windowless Sampling rig and operator	3	750.00	2,250.00	S
Sample liners	Sample liners - 18 x 3m boreholes	54	10.00	540.00	S
Sub-Total	SUB-TOTAL			8,565.00	
	Laboratory Testing				
TOC	Total Organic Content 3 tests per borehole	54	11.20	604.80	S
Budget for laboratory testing	allow for soil contamination testing allow 1.5 samples per borehole (Metals, Asbestos, PAH, TPH CWG, VOC)	27	150.00	4,050.00	S
Budget for laboratory testing	allow for surface water / standpipe water contamination testing - 6 tests from standpipes and 3 from surface water (metals, PAH, TPH, VOC,BoD, CoD, Sulphate, Nitrate, Dissolved OXYgen, Ammonia)	9	200.00	1,800.00	S
Sub-Total	SUB-TOTAL			6,454.80	
	Standpipes and Monitoring				

50mm standpipe	Provide and install 50mm HDPE standpipe including pea shingle surround 3m install per location - 17 x standpipes	51	30.00	1,530.00	S
Steel Cover - Vertical	Provide and Install	17	90.00	1,530.00	S
Gas Monitoring	Gas monitoring visit - weekly visit to monitor all gas wells using analox GA2000/GFM. Fortnightly visits for 1 year	24	475.00	11,400.00	S
Gas and Water Monitoring	Provision of monitoring and sampling apparatus, and attendance at site gas and groundwater	2	780.00	1,560.00	S
Sub-Total	SUB-TOTAL			16,020.00	
	Reporting & Consultancy				
Interpretative Report	Generic Quantitative Risk Assessment - Preliminary Report on completion of site works and receipt of chemical test results	1	1,750.00	1,750.00	S
Letter report	Including up to 2hrs engineering time in analysis of results and recommendations - quarterly letter report	2	350.00	700.00	S
Interpretative Report	Generic Quantitative Risk Assessment - Soil, Ground Gas and Near Surface Waters - Final report on completion	1	1,250.00	1,250.00	S
Quantitative Risk Assessment	Site specific quantitative risk assessment - budget rate only allow	0	5,000.00	0.00	S
HPE Hourly Consultancy Rate	rate for additional consultancy e.g. attending public meetings, liaison with client etc as required - allow 10 hours initially	10	95.00	950.00	S
Sub-Total	SUB-TOTAL			4,650.00	
Sub-Total	SUB-TOTAL			35,689.80	

VAT Total: £7,137.96

TOTAL Inc VAT £42,827.76

Payment Terms : Net 30 days from date of invoice

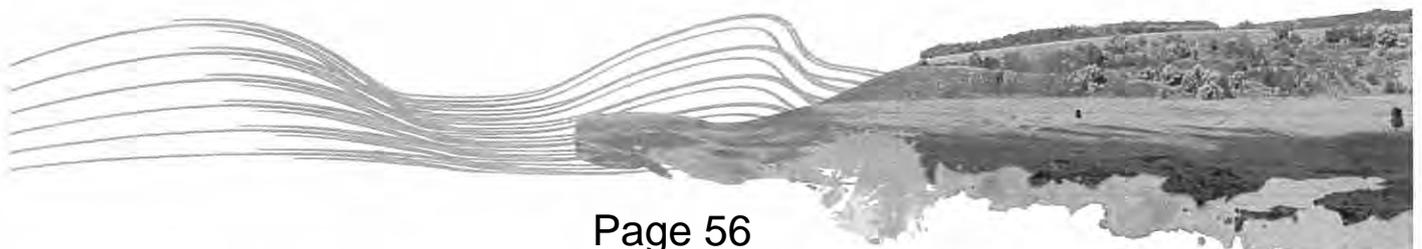
Quote prepared by: _____

Darren Beesley

This quotation is subject to our standard terms and conditions attached

To accept this quote, sign, and date here and return: _____

This is NOT a VAT Invoice



Kirstie Parr
Tonbridge and Malling Borough Council
By email only

18th March 2019

Our ref: 67172P1

Dear Kirstie,

Re: Proposal for geo-environmental support – Priory Wood, Tonbridge

Thank you for inviting Stantec UK Ltd (Stantec) to submit a proposal to Tonbridge and Malling Borough Council (the Council) for the provision of a geo-environmental investigation at Priory Woods public open space (the Site). I have set out below our proposed approach to the project based on the project brief provided in your email dated 12th March.

Please note that your original request went to Peter Brett Associates LLP which is now part of Stantec UK Ltd.

Our understanding of the project

It is understood the Site is a closed landfill that accepted a wide variety of waste types, which is un-engineered and currently actively gassing and producing leachate. We understand that the only current management of the landfill gas is via a gravel trench and pump system which we assume vents to the atmosphere. Furthermore, we understand that the Council currently has only three active monitoring positions (including one being the pump), which is deemed insufficient to understand the landfill gas and leachate conditions at the Site.

We understand that a third party has recently completed a desk based study of the Site which has made recommendations for the installation of further monitoring and sampling points at the Site.

Objectives

The objective of the work is to install additional monitoring points at the Site to allow for a better assessment of the current ground, landfill gas and leachate regime at the Site.

Limitations

At the request of the Council, we have priced the project in accordance with the specification provided. However, given our extensive experience on similar sites, we would note that the drilling method proposed (windowless sampling) often struggles to penetrate heterogeneous landfill masses. Furthermore, the shallow depth of the boreholes may result in a poor representation of the true landfill gas and leachate conditions, typically such boreholes prove the base of the landfill mass.

Stantec would advise using a technique such as Cable Percussion to achieve the depths recommended to achieve a full understanding of the gas and leachate conditions in a landfill. We would be happy to liaise with the Client further about our recommendations.

Stantec has also not yet had the benefit of reviewing any data available for the Site.

1st Floor, Vision Court, Caxton
Place, Pentwyn
Cardiff
CF23 8HA

Telephone: +44 (0)29 20 765649

Registered Office
Stantec UK Ltd
Buckingham Court
Kingsmead Business Park
Frederick Place, London Road
High Wycombe HP11 1JU
Registered in England No. 1188070

Scope of work

The scope of work, based on our understanding of the project brief, is detailed below:

Task 1: Intrusive ground investigation and assessment

Based on the brief provided, our proposed scope of Site investigation work is fully itemised on a Bill of Quantities (BoQ) appended to this proposal and is summarised in Table 1.

Table 1 Proposed Site investigation

Exploratory Positions	Technique	Days	Number	Target depth	Purpose
WS101 to WS117	Windowless Sampling	4	17	Up to 3 m	To characterise shallow ground conditions including the presence of groundwater/ leachate. Install monitoring wells for subsequent landfill gas and groundwater/ leachate monitoring/ sampling. Collect suitable soil samples for geo-environmental laboratory testing.

Supporting Site investigation activities will include:

- Provide appropriate health and safety documentation and management advance of the Site works, including suitable method statements and risk assessments;
- Undertake a statutory services search to obtain all utilities plans for the Site;
- Services clearance of all proposed investigation locations using CAT and by a third-party specialist including GPS surveying and preparation of a Site plan with services overlaid (we assume that a suitable CAD base plan would be made available by the Client);
- Detailed soil descriptions to BS5930:2015 will be provided for all materials encountered in the boreholes by an experienced engineer;
- A hand-held Photo Ionisation Detector (PID) will be used to undertake soil headspace testing (i.e. to assess for the presence of volatile soil vapours); and,
- Collection of soil samples, surface water samples and groundwater/ leachate samples to enable laboratory chemical testing at a UKAS/MCERTs accredited laboratory in accordance with Stantec’s QA/QC approved supplier requirements.
 - Chemical analysis will include a range of chemical species appropriate to the ground conditions encountered. For costing purposes, it has been assumed that 26No. soil and 9No. water samples will be analysed for chemical testing for a range of inorganic (e.g. heavy metals and pH) and organic (e.g. polycyclic aromatic hydrocarbons (PAH), and speciated total petroleum hydrocarbons (TPH), and volatile organic compounds (VOC) chemical species.
 - An asbestos screen will be performed on all landfill waste samples.
 - Total Organic Carbon (TOC) testing will be undertaken on 51No. samples.

Task 2: Landfill gas and Groundwater/Leachate monitoring

Landfill gas and groundwater/ leachate level monitoring will be undertaken at the 17No. installed boreholes and the 3No. existing boreholes fortnightly for 12 months from the completion of the investigation.

Task 3: Factual and interpretative reporting

Upon completion of the Site investigation, a preliminary geo-environmental report will include the following key elements:

- A factual account of all fieldwork activities including an assessment of in ground material, visual and olfactory observations of contamination, in-situ testing and records of groundwater flows into exploratory positions;
- Detailed logs for each exploratory position;
- Records of landfill gas and groundwater level data obtained during the monitoring rounds undertaken (to the point of issue);
- Full records of laboratory testing results;
- An updated Conceptual Site Model based on the findings of the Site investigation work;
- Tier 1 screening of chemical laboratory test results against Generic Assessment Criteria commensurate with the proposed land use (assumed commercial); and,
- A qualitative risk assessment (CIRIA 552 and CLR11 methodologies).

Quarterly Letter Reports will be provided detailing the ground gas data obtained together with analysis of potential trends.

On completion of the ground gas monitoring, a final geo-environmental report will be provided with updated analysis and recommendations.

Task 4: Consultancy, Client liaison and meetings

Ten hours of support by a Principal Consultant has been included to support the Client (e.g. attendance at public meetings).

Timescale

It is understood the works are scheduled to be undertaken in May. The investigation works would require a minimum of 2 weeks' notice from written instruction to proceed.

The preliminary geo-environmental report will be issued within 4 weeks of all laboratory results being obtained. The final report will be provided within 2 weeks of completion of the final monitoring round.

Project team

Due to the requirements for this project we propose to use an experienced team which will be able to deliver a high-quality product to the timescale required.

Project Director: James Mortimer (Technical Director)

Project Manager: Russell Davies (Principal Consultant)

Commercial offer

We propose that this work should be carried out on a fees and expenses basis as set out in Table 2 and the appended BoQ. These estimates would not be exceeded without your prior consent.

Table 2 Estimated fees & expenses

Task Name	Work Element	Fees & Expenses (ex VAT)
Task 1	Intrusive Site investigation including laboratory testing	£16,401
Task 2	Landfill gas monitoring	£12,353
Task 3	Factual and interpretative reporting & consultancy support	£8,305
TOTAL		£37,058

This offer is based on Tonbridge and Malling Borough Council being our Client and the work being subject to our standard terms and conditions and assumptions and limitations which are attached. These rates will be held for the duration of the work outlined above. This offer is valid for 3 months from the date of issue.

Please note that no contingency fees have been included within this proposal for unforeseen costs such as ecological supervision of vegetation clearance, should it be required.

Please also note that our costs are based on reports being submitted in electronic format. If hard copy reports are required, additional charges will be made. Details of these charges are available on request. Any additional work undertaken will be governed by the same terms of business agreed for this work, and subject to our standard scale of charges which are set out in Table 3. Standard mileage is £0.59/mile and expenses are charged at cost plus 15%.

Table 3 Current scale of charges

Grade	Rate (£/hr)
Project Director	£120
Principal Consultant	£95
Senior Consultant	£80
Project Consultant	£65
Consultant	£55

Priory Woods, Tonbridge – Proposal for Geo-environmental Support

I trust that our proposal meets your current requirements, if you have any queries or if you require any further information, please do not hesitate to contact me.

Yours sincerely

Russell Davies

Principal Consultant

Enc: CDM2015

Assumptions and Limitations

Terms of Business

Bill of Quantities

CDM2015

The Site investigation is defined as 'Construction Work' according to the Construction Design and Management (CDM) Regulations (2015). As such, you will be defined as the Client and Principal Designer under the Regulations. Stantec has an obligation to ensure that Clients are aware of the duties that this will entail; in essence, you must ensure that the project is set up so that it is carried out to adequately control risks to health and safety. Stantec will also have duties under the Regulations (which are specifically limited to the scope of this proposal). We will work with you, as required, to discharge our collective duties during our involvement with the project. Should you have any questions concerning the CDM Regulations and how they may influence the project then please feel free to contact us.

Assumptions and limitations

It is assumed that the work envisaged herein is intended to support the assessment of the current ground, groundwater and landfill gas conditions at the Site only.

There is potential for elevated levels of ground contamination at the Site. As such, we have made allowances in our rates for a reasonable degree of additional health and safety requirements. However, should gross contamination be identified commensurate with 'Red' working conditions, additional measures will be required as a variation.

We have assumed that firm, level and reasonably unrestricted accesses and investigation locations will be available at the time of the investigation for all appropriate plant. We will endeavour to work around obstructions wherever possible and we will advise you further in due course if there are any issues which may have cost implications. Stantec cannot be held liable for the security of the Site at any time.

We assume that there are no restrictions to the proposed works with respect to matters outside of our control including archaeology, ecology or current Site operations, and existing assets and/ or Site usage. Should vegetation at the Site require clearance, supervision by a suitably qualified ecologist may be required – we have not included for the clearance or attendance.

We can confirm that in line with our standard ground investigation procedures, searches will be placed with statutory service providers and reviewed when provided given the available timescales. We also request that the most up to date service plans and topographic survey held by the Council are provided to us (if available, preferably in digital CAD format) at the earliest opportunity. Boreholes will be completed with an upstanding installation cover. We assume that all waste arisings may remain on-Site.

We reserve the right to re-measure through the attached Bill of Quantities any additional costs (time or expenses) which may be incurred as a result of complying or otherwise managing with unforeseen requests or constraints to the proposed scope and/ or programme. Examples of this might include additional supervision and/ or plant costs in response to representations from site occupiers/ owners.



Stantec

Schedule for Site Investigation Works
 Project Name Priory Woods
 Phase Name Site Investigation

Date of Issue 18/03/19
 Project No. 67172

Description	Unit	Quantity	Rate	Total
SITWORKS				
A) GENERAL ITEMS				
Mobilisation and Management				
A1 Mobilisation of personnel	Day	31	£50.00	£1,550.00
A2 Accomodation	Day	3	£100.00	£300.00
A4 Procurement and contract management of project	Sum	1	£500.00	£500.00
Health and Safety Provision and Management				
A5 Take Role of Principal Contractor	Sum	1	£250.00	£250.00
A6 Provision of H&S Documentation and Management	Sum	1	£250.00	£250.00
A9 Provision of Personal Gas Meters				
Combined methane, carbon dioxide, oxygen, hydrogen sulphide, flammable gases and VOC's	Week	1	£165.00	£165.00
General Welfare and Site Accommodation				
A14 Mobilisation of Welfare Unit	No.	1	£143.00	£143.00
Provision of Welfare Unit (6-man)	Week	1	£433.40	£433.40
Small Plant and Equipment				
A17 Mobilise Safety Fencing	Sum	1	£82.50	£82.50
A18 Provision of Safety Fencing				
Provision of Chapter 8 Fencing	linear m	25	£2.75	£68.75
H) WINDOW SAMPLING				
H1 Mobilise Window Sampler	Sum.	1	£110.00	£110.00
H4 Window Windowless Sample (with SHDP capability)	Day	4	£605.00	£2,420.00
H6 Windowless Sample Liner	linear m	51	£3.85	£196.35
J) SAMPLING				
J2 Window Sampling				
Small Disturbed (Environmental)	No	77	£5.61	£431.97
Water	No	9	£5.50	£49.50
L) INSTALLATIONS				
L1 Standpipe: Gas type 63mm dia. (OD) HDPE				
Installation materials sum	linear m.	51	£22.00	£1,122.00
Gas cap and tap	No	17	£5.50	£93.50
L9 Install upstanding stop cock covers (lockable 6" x 500mm)	No	17	£102.30	£1,739.10
N) SITE REFERENCING / SURVEYING				
N1 Reference site (GPS)	Sum	1	£825.00	£825.00
O) SITE SUPERVISION				
O1 Site supervision				
Geo-environmental Engineer ESI	Day	4	£450.00	£1,800.00
P) WASTE DISPOSAL COSTS				
P1 Provision of Skip				
3 yard	No.	1	£143.00	£143.00
Q) MONITORING AND SAMPLING				
Q1 Return land gas and groundwater monitoring visits	Man Day	27	£350.00	£9,450.00
Q2 Return land gas and groundwater monitoring & sampling visits	Man Day	1	£450.00	£450.00
Q3 Provide CH ₄ , CO ₂ , O ₂ , Atm Pressure monitoring Equipment	Day	26	£44.00	£1,144.00
Q8 Water sample using 39mm bailer	No.	6	£27.50	£165.00
Q11 Provision of PID	Day	26	£44.00	£1,144.00



Schedule for Site Investigation Works
 Project Name Priority Woods
 Phase Name Site Investigation

Date of Issue 18/03/19
 Project No. 67172

Description	Unit	Quantity	Rate	Total
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LABORATORY TESTING

S2	Environmental testing (see attached schedule)	Sum	Allow	£3,727.63
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REPORTING

T2	Undertake Service Search	Sum	1	£310.70	£310.70
T3	Reporting				
	Preparation of Factual Site Investigation Report Text	Sum	1	£450.00	£450.00
	Window Samples	No	17	£35.00	£595.00
T3	Reporting (see attached schedule)				
	Preparation of Quarterly Monitoring Report Text	Sum	4	£250.00	£2,000.00
	Monitoring Data	No	80	£25.00	£2,000.00
	Preparation of Interim Contamination Report	Sum	1	£1,500.00	£1,500.00
	Preparation of Final Interpretative Contamination Report	Sum	1	£500.00	£500.00
T4	Consultancy support	Hr.	10	£95.00	£950.00

TOTALS

Fieldworks	£12,673.07
Gas Monitoring	£12,353.00
Laboratory Testing	£3,727.63
Reporting	£8,305.70

Total (exc. VAT) £37,059.40

O:\67170 Hackney Wick\Proposal\

All items remeasurable and exclude VAT which will be charged at the standard rate

Description	Unit	Quantity	Rate	Total
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ENVIRONMENTAL TESTING (10 Day Turnaround)

(Soil)	ESI Soil C	No	26	£80.85	£2,102.10
(Water)	ESI Water Suite	No	9	£83.05	£747.45
(Soil)	Volatile Organic Compounds (VOCs)				
(Soil)	VOCs target list only	No	26	£17.88	£464.75
(Soil)	Organics - others				
(Soil)	TOC (Total Organic Carbon)	No	51	£4.95	£252.45
(Water)	Volatile Organic Compounds (VOCs) - modified US	No			
(Water)	VOCs target list only	No	9	£17.88	£160.88

Priory Wood Report Annex 3

From: Atkinson, Jonathan [<mailto:jonathon.atkinson@environment-agency.gov.uk>]
Sent: 23 April 2019 10:57
To: Kirstie Parr <Kirstie.Parr@tmbc.gov.uk>
Subject: RE: Priory Woods

Kirstie

I am happy to say that we had a discussion based on my original involvement as KCC waste regulation on joint investigations of closed landfills in the 1990s. Based on that knowledge and experience, I can offer the suggestion that additional assessment should be based on all historic reports and likely changes since the last strategy was implemented. However I do feel that a full survey of the site, as suggested by consultants, for this site and specific setting is a bit more than is likely to be cost effective for this particular site. I would focus on the key pathways along the fracture zone, as we discussed, and a little more investigation in centre of site to establish general conditions of waste and gas flux.

I trust this is helpful.

Regards
Jonathan

**Jonathan Atkinson BSc (Hons), Dip Agr Eng (Soil&Water), MIES, CEnv.
Groundwater & Contaminated Land - Technical Specialist
Environment Agency**

Orchard House, Endeavour Park, London Road, Addington, West Malling, Kent ME19 5SH
Direct Dial +44208 4746727

From: Kirstie Parr [<mailto:Kirstie.Parr@tmbc.gov.uk>]
Sent: 16 April 2019 08:30
To: Atkinson, Jonathan <jonathon.atkinson@environment-agency.gov.uk>
Subject: Priory Woods

Morning Jonathan,

Thank you again for having a chat with me about this site and the proposals for a site investigation. I have spoken to Crispin to let him know that we can scale back the proposals from Leap and we have an internal meeting with all the relevant managers this afternoon.

I have been asked to find out whether you would be willing to send us a letter/email confirming that I have approached you for some advice and we are in agreement (based on known site history) that it is not necessary to install boreholes across the whole site, but focus more on the fault line known to allow gas migration?

Many thanks.

Kirstie

Kirstie Parr BSc AMIEnvSc

Scientific Officer (Contaminated Land)
Tonbridge & Malling Borough Council
Tel: 01732 876073

Please note my normal working days are Tuesday, Thursday and Friday.

**Have you tried contacting us at
www.tmbc.gov.uk/do-it-online?**



TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

11 June 2019

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Recommendation to Cabinet - Non-Key Decision (Decision may be taken by the Cabinet Member)

1 ENVIRONMENTAL HEALTH PERFORMANCE 2018/19

Summary

This report summarises the operational activities of the Council in relation to its statutory Environmental Health functions undertaken by the Environmental Protection Team and Food and Safety Team for 2018/19.

1.1.1 The Environmental Health function is primarily concerned with protecting the public from the harm they may encounter in the wider environment, food, workplaces and with improving health. Environmental Health Officers act as advisers, educators and regulators and carry out site visits and give assistance to individual householders and businesses and to managers and workers. In certain circumstances, they take enforcement action to ensure compliance with legislation designed to protect the health of the public.

1.1.2 Two Teams work in this area:

- Food and Safety Team (FST) – responsible for the food premises inspection and food sampling programmes, health and safety in our local workplaces providing advice and guidance to employers and responding to requests for service relating to these areas; and
- Environmental Protection Team (EPT) – responsible for requests for service relating to alleged nuisances, responding to planning and licensing applications, contaminated land enquiries, proactive landfill gas and water quality monitoring and meeting the statutory requirements of the environmental permitting, local air quality management and private water supply regimes.

1.2 Food and Safety Team

1.2.1 A significant part of the work of the team is the food premises inspection programme, which includes full or partial inspections of high and medium risk food businesses and questionnaires to low-risk business. A total of 469 full or partial

inspections and 100 information gathering interventions were carried out which includes questionnaires sent to low risk premises. In addition 79 re-visits to food premises were undertaken to ensure legal contraventions had been remedied. All but seven programmed interventions, that were due in 2018/19, were completed, mainly due seasonal closures. Specific details of food safety interventions are shown in **[Annex 1]**.

- 1.2.2 The Council's results show that at the end of 2018/19, 97 per cent of our food businesses are broadly compliant and have achieved a rating of three or better in the National Food Hygiene Ratings Scheme. Full details are presented in **[Annex 2]**.
- 1.2.3 Food sampling is important to help ensure the safety of food. The Food and Safety team participated in national sampling surveys which included ready to eat foods such as pastry products from retail and catering establishments, swabs in catering premises to assess cleaning standards and frozen fruit and vegetables with a focus on Listeria. In addition, samples were taken as a result of food poisoning allegations or complaints of poor hygiene and routine surveillance of a variety of food businesses. In 2018/19, officers took 214 samples and sent them for microbiological examination. Sixty four unsatisfactory results were investigated and advice given to businesses to resolve problems. Re-samples were taken where required. Further details can be found in **[Annex 3]**.
- 1.2.4 During 2018/19, a total of 242 reports of food poisoning were made and investigated when food businesses were implicated. Campylobacter cases continue to be the largest number of reported cases of food poisoning in the borough, with 187 cases. The incidence of salmonella was just 20 in comparison. The team provides advice to people suffering from food poisoning or food related disease and, where necessary, further investigations and sampling are undertaken with businesses that may be implicated.
- 1.2.5 Officers continue to deliver food safety and hygiene training as part of the West Kent Local Authority Training Partnership, operated in conjunction with other West Kent local authorities. In 2018/19, officers delivered four Level 2 food hygiene courses at Tonbridge and Malling as part of the partnership arrangement, training 36 food handlers.
- 1.2.6 Nine visits were made as a result of formal accident reports received.
- 1.2.7 The Food and Safety team received 133 service requests in 2018/19. These included complaints about food, food premises and the hygiene of food handlers, as well as workplace health and safety complaints. All these complaints were fully investigated and relevant action taken.
- 1.2.8 The team has set up a Primary Authority partnership covering workplace health and safety with a company responsible for providing student accommodation. At the request of the business officers have conducted two health and safety audits and the business has been charged on a cost recovery basis.

1.2.9 **Formal Enforcement Action** – Although our aim is to provide advice and guidance to business operators in the majority of cases, in order to protect public health, it is sometimes necessary to take formal action against businesses. In 2018/19, nineteen food hygiene improvement notices were served to secure compliance for offences such as lack of food hygiene training and inadequate food safety management systems. One restaurant voluntarily closed due to an active pest infestation. One takeaway premises was prosecuted for four food safety and one health and safety offence and received fines totalling £9000 plus costs of £4,542. Two health and safety prohibition notices and six improvement notices were also served on other businesses.

1.3 Environmental Protection Team

1.3.1 During the twelve months from 1 April 2018 to 31 March 2019, 504 requests for service were received to which the team responded to all but two within five working days. Of that total, 65 concerned the odour from Drytec in Tonbridge. Other issues that generated significant requests for service included noise both from domestic and licensed premises, barking dogs, bonfires, and various types of accumulations on private land. Specific details of the types of requests received are shown in **[Annex 4]**.

1.3.2 On receipt of a complaint, letters are sent to the complainant (with diary sheets enclosed) and to the person alleged to be causing the nuisance, advising them that a complaint had been received and requesting them that if the allegation is correct to resolve the situation. In the majority of cases, no further communication is received by officers from either party, indicating that the initial letter to the person alleged to be source of the problem resolves the issue with no further involvement from officers.

1.3.3 On some occasions it is necessary for the team to instigate formal action to protect public health/prevent Statutory Nuisance. This is usually because the enforcement options, as set out in the Enforcement Policy, have been exhausted. A summary of Notices served in this period is provided in **[Annex 5]**.

1.3.4 Members will note the increase in the service of Control of Pollution Act 1974 Section 61 'Prior Consent' Notices. Whilst formal Notices, they differ slightly in that they are issued at the behest of the recipient to self-impose noise restrictions on construction works, and so long as conditions are complied with provide immunity from other potential enforcement action. Most Section 61 'Prior Consent' notices served in this period relate to the resurfacing of rail station car parks across the borough, where work was scheduled to occur overnight.

1.3.5 The EPT are formally consulted by their colleagues in the Planning Service on applications received and on which the EPT make recommendations for the inclusion of conditions or "informatives" if planning permission is granted. These recommendations are intended to pre-empt and address areas of environmental concern prior to development starting. They also ensure that appropriate

mitigation measures and/or remediation measures are addressed and implemented within the proposal to protect the quality of life for the future occupants of the development and neighbouring properties. During the period the team responded to 451 planning and discharge of condition applications.

- 1.3.6 Under the provisions of the Licensing Act 2003, Environmental Health is a statutory consultee in respect of applications for Premises Licences and Temporary Events Notices (TENS). During the year the team responded to 22 Premises Licence applications, and 359 TENS applications.
- 1.3.7 Certain specified processes are required to obtain a 'permit to operate', under the provisions of the Environmental Permitting Regulations, which control emissions from site. Responsibility for enforcement of the regime is divided between the Environment Agency and Local Authorities. There are 47 permitted processes within the Borough for which we are responsible, covering processes which include, petrol stations, dry cleaners and car resprayers. During the year the EPT conducted 4 proactive inspections, and the standard of compliance with the permits and any conditions attached remains high.
- 1.3.8 The Council has an important role in protecting the public from hazards associated with contaminated land. There are three principal aspects to this role:
- identification and prioritisation of known areas of contaminated land within the Borough;
 - ensuring that, through the planning process, areas of potentially contaminated land are identified, investigated and remediated during the development process; and
 - responding to specific enquiries from potential property purchasers who have had concerns raised about potential contaminated land on their prospective property.
- 1.3.9 As well as providing input into planning permission consultations, in 2018/19 the EPT provided 30 reports in relation to specific contaminated land enquiries, the majority from prospective property purchasers.
- 1.3.10 Some members may recall that in February 2018 the EPT in conjunction with Leap Environmental Ltd began a landfill gas investigation at the former Jocopits site, now comprising Tolsey Mead and Eaglestone Close in Borough Green. This work is now drawing to a close with the site classified as low risk for gas (although periodic monitoring will continue). A final report to board will be provided at the next meeting.
- 1.3.11 There are a number of private water supplies (PWS) in the Borough and to safeguard the health of people consuming water from these supplies the team is required to risk assess and sample these supplies. Most occur in residential properties, although there are some commercial premises that maintain a private

water supply. Samples were taken as required during the year to ensure the supplies met required standards.

- 1.3.12 From Annex 4, Members will note one notice was served in relation to failure to comply with required standards of a PWS. EPT members continue to liaise with the owner to ensure appropriate actions are taken to remedy the failure.
- 1.3.13 The Local Air Quality Management (LAQM) regime requires the Council to periodically review and assess the air quality within its area. To fulfil these duties officers in the EPT monitor Nitrogen Dioxide levels across the Borough using diffusion tubes and a continuous analyser (moved from Tonbridge High Street to Wateringbury during this period). The results of this monitoring are reported annually to the Department for the Environment, Food and Rural Affairs (DEFRA). During the year there were no new exceedances of annual or hourly NO₂ levels and no new AQMAs were required to be declared.
- 1.3.14 In August 2018 additional air quality monitoring sites at Wouldham were set up following residents' concerns over air quality in that area, with a significant increase in traffic linked with the Peters Village development. The first formal annual average results for these sites will be available in August 2019, however annualisation of results obtained to date do not indicate that any exceedances of NO₂ levels are likely.
- 1.3.15 Finally members will note that the number of complaints received about odours in Tonbridge has remained steady between 60 and 70 per year over the past three years. Officers continue to investigate whether the odour amounts to a statutory nuisance at complainant's properties, however the test of statutory nuisance is not whether an odour is present but whether its nature, extent and degree including its frequency and duration is sufficient to materially interfere with the use and enjoyment of property. In that regards no evidence has been obtained to date that the odour at any one property amounts to a statutory nuisance.

1.4 Legal Implications

- 1.4.1 The Council has a statutory duty to undertake the full range of functions described in this report, with the exception of promotional and business support activity.

1.5 Financial and Value for Money Considerations

- 1.5.1 All service improvements will be undertaken within existing budgets.

1.6 Risk Assessment

- 1.6.1 Failure to properly manage and deliver the food safety functions could result in censure by the Food Standards Agency and breach of Section 18 of the Health and Safety at Work etc. Act 1974.

- 1.6.2 The failure of the EPT to meet its statutory obligations could result in formal complaints and potential censure from DEFRA and the Local Government Ombudsman. It could also lead to a potential legal challenge.

1.7 Equality Impact Assessment

- 1.7.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

1.8 Recommendations

- 1.8.1 It is **RECOMMENDED** that the Cabinet **NOTE** the performance information relating to activities associated with the food and safety and environmental protection functions in 2018/19.

The Director of Planning, Housing and Environmental Health confirms that the proposals contained in the recommendation(s), if approved, will fall within the Council's Budget and Policy Framework.

Background papers: Nil

Nil

contact: Crispin Kennard
Melanie Henbest

Eleanor Hoyle
Director of Planning, Housing and Environmental Health

FOOD HYGIENE INTERVENTIONS

Premises risk rating and frequency	No. interventions carried out 2016/17*	No. interventions carried out 2017/18*	No. interventions carried out 2018/19*
A – 6 months	8	4	7
B – 12 months	62	76	67
C – 18 months	252	217	201
D – 2 years	163	169	149
E – 3 years **	272	282	143
Unrated (new business registrations)	-	185	143
Total	757	933	710

* All interventions carried out , includes inspections, re-visits, sampling visits, advice and education, information and intelligence gathering.

** Includes low risk premises questionnaires

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SUMMARY OF NATIONAL FOOD HYGIENE SCHEME RATINGS

Rating	Number of businesses	%
Five (Very Good)	584	66
Four (Good)	185	21
Three (Generally Satisfactory)	86	10
Two (Improvement Required)	17	2
One (Major Improvement Required)	7	1
Zero (Urgent Improvement Required)	0	0
Total	879	100

Data correct as of 20 May 2019.

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FOOD SAMPLING PROGRAMME

DATE	SAMPLING PROGRAMME	RESULTS
April-October 2018	UK Co-ordinated Food Study- Study 64 Ready to eat pastry based food from catering and retail premises	19 samples taken 17 satisfactory 1 borderline (acceptable) 1 unsatisfactory
September 2018-March 2019	UK Co-ordinated Food Study- Study 65 Swabbing in catering premises	38 samples taken 18 satisfactory 20 unsatisfactory
January- March 2019	UK Co-ordinated Food Study- Study 66 Frozen fruit and vegetables from retail and catering premises	22 samples taken all satisfactory
April 2018-March 2019	TMBC Food complaints and food poisoning allegations	54 samples taken 32 satisfactory 2 borderline (acceptable) 20 unsatisfactory
April 2018-March 2019	TMBC Routine sampling programme including manufacturers and producers	81 samples taken 48 satisfactory 10 borderline (acceptable) 23 unsatisfactory
Total number of samples: 214 Of which 137 were classified as satisfactory were 13 classified as borderline (acceptable) were 64 classified as unsatisfactory		

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REQUESTS FOR SERVICE 2018/19

ANNEX 4

Service Request Category	2015/16	2016/17	2017/18	2018/19	Comments
Accumulations	49	47	33	44	Complaints regarding accumulations including commercial and residential premises.
Drainage	5	8	8	8	Blocked, leaking or overflowing private drains, private sewers and septic tanks
Noise	177	181	203	191	Sources include amplified music from domestic and licensed premises
Dogs	112	112	92	105	Barking dogs
Pollution	61	92	93	91	e.g. bonfires, odour, smoke, grit and dust and light
Tonbridge Odour complaints (excluding tweets)	140	69	60	65	
TOTAL	544	509	489	504	

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FORMAL ACTION 2018/19 - SERVICE OF STATUTORY NOTICES

Notice	2015/16	2016/17	2017/18	2018/19	Example
Environmental Protection Act 1990 section 80	11	6	9	4	Statutory nuisance e.g. noise, accumulations
Prevention of Damage by Pests Act 1949 section 4	0	0	0	0	Control of rats and mice
Public Health Act 1936 section 83 (As amended)	0	0	0	0	Filthy and Verminous Premises
Local Government (Miscellaneous Provisions) Act 1976 section 16	0	0	0	0	Requisition for Information
Local Government (Miscellaneous Provisions) Act 1982 section 29	0	0	0	0	Securing premises against unauthorised access
Control of Pollution Act 1974 sec 60	0	0	0	0	Control of Noise on construction sites
Control of Pollution Act 1974 section 61	0	1	0	8	Prior consent for construction works.
The Private Water Supply Regulations	3 (in relation to 1 supply)	0	0	1	Notification of failure to comply with the required standards for PWS and actions required to remedy the failures.
TOTAL	14	7	9	13	

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TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

11 June 2019

Report of the Director of Street Scene, Leisure & Technical Services

Part 1- Public

Matters for Information

1. WASTE & STREET SCENE SERVICES UPDATE

Summary

This report highlights a number of issues & initiatives managed by the Waste & Street Scene Services team since the last meeting of this Board.

1.1 Public Convenience Cleaning – Extension of contract

1.1.1 The current Public Convenience Cleaning Contract, procured in 2013, was due to end on 28 February 2019, with an option to extend by one or both of two 12 month periods should both parties agree. The value of the contract, as provide by Specialist Hygiene Services (SHS), is around £65K per annum.

1.1.2 A Scrutiny review of Public Convenience provision across the borough was completed in late 2018, which resulted in a report to Cabinet in February this year. The recommendations approved at that meeting were as follows:

- Subject to agreement with the existing contractor, the existing public convenience cleansing contract be extended for 12 months in accordance with current contract conditions;
- meetings in liaison with the Estates Service Manager be undertaken with individual Parish/Town Councils to agree the leasehold or freehold transfer of ownership of the Council's public conveniences currently located in their area;
- the existing provision of public conveniences at Leybourne Lakes Country Park, Haysden Country Park, Tonbridge Racecourse Sportsground and Tonbridge Cemetery be retained;
- the existing Priory Road and Castle Grounds public conveniences in Tonbridge be retained;

- the existing Angel Centre public toilets be closed with the public redirected to existing alternative provision;
- further investigation be undertaken into the suitability of alternative toilets in the vicinity of Tonbridge Castle to determine the future provision of Castle Grounds toilets;
- the Building & Estates Manager be requested to bring forward, if required, an improvement programme for those facilities to be retained/transferred;
- future reports be submitted to the Street Scene & Environment Advisory Board on the outcome of the review, accompanied by an Equality Impact Assessment and financial appraisal.

1.1.3 At the February 2019 meeting of this Board Members approved an Equality Impact Assessment and requested Cabinet to update the Special Expenses Policy for approval by Full Council. I can advise that the public toilets adjacent to the Angel Centre have been closed, and meetings with the relevant Parish & Town Councils will take place over the next few months. Members of this Board will be kept informed of progress.

1.2 Household Waste Recycling Centres

1.2.1 Within the geographical county of Kent, Household Waste Recycling Centres (HWRCs or “tips”) are provided and managed by the relevant Waste Disposal Authority for their residents. Medway’s HWRCs are run by Medway Council for their residents, and Kent’s HWRCs by Kent County Council. There has been a reciprocal arrangement in place for a number of years whereby KCC pay Medway County Council an annual amount so that KCC residents who live nearer to Medway’s HWRCs can use them rather than having to travel further to a KCC site.

1.2.2 For many years TMBC have made representation to KCC to provide a HWRC facility within the borough, as the nearest alternatives for our residents are the HWRCs at North Farm (Tunbridge Wells), Tovil (Maidstone), Dunbrik (Sevenoaks) or Medway’s sites at Cuxton & Capstone. As recently as last month, KCC has indicated that two potential sites have been identified along the A20 corridor and that further work was being carried out to finalise a suitable site that might be up and running within 18 months. This will of course be dependent on the required planning & environmental permissions being forthcoming from the relevant authorities.

1.2.3 On 13 May 2019, TMBC Officers became aware via social media posts that Medway County Council had taken a decision to exclude Kent residents from its HWRCs. This was explained by Medway County Council to be a result of KCC introducing charges for certain non-household waste items (soil, rubble, plasterboard) at its own HWRCs from 3 June this year. This decision meant that many residents in the north & eastern parts of our borough would have to travel much further to use a KCC site. For example, a resident of Walderslade who

would normally have travelled 10 minutes to Medway's Capstone site would now have to travel all the way through Maidstone to the KCC site at Tovil, where heavy usage already causes traffic problems on the approach roads.

- 1.2.4 The Leader of the Council swiftly made representation to both KCC and to Medway County Council regarding the decision and arrangements were put in place to expand our weekend bulky waste collection service. I am pleased to report that as of 23 May, Medway County Council's decision has been reversed and KCC residents will still be able to use their nearest facility for the next 18 months. If the HWRC falls within Medway's boundary, all users will have to take with them a form of identify which has their address on it. This will allow Medway to monitor usage of the sites and identify the proportion of users that live within KCC's boundary.
- 1.2.5 More recently, KCC has publically confirmed that they have identified a suitable site for a new HWRC within TMBC's boundary and that the facility should be available to our residents within 15 months or so. It is likely at that time that Medway County Council will again review its policy on allowing KCC residents to use its sites.

1.3 Kent Resource Partnership - End Destination Report

- 1.3.1 The Kent Resource Partnership (KRP) is made up of 13 local authorities (KCC and the twelve District Councils). The purpose of the KRP is to deliver three strategic objectives:
- to deliver the Kent Joint Municipal Waste Management Strategy which has been adopted to manage Kent's municipal waste;
 - to deliver financial & performance benefits to kent taxpayers, managing the risks to financial & performance as appropriate; and
 - to contribute to; and set as a national lead; delivery projects that manage supply chain issues in the leanest and most effective ways, securing value from discarded materials and proactively identifying innovation & excellent practices.
- 1.3.2 Each year the KRP publishes its Materials End Destination report. This publication provides information on what happens to the municipal waste collected within the KCC area, both recycled & non-recycled. The data in the report has been audited by DEFRA through its national Waste Data Flow system to which every local authority has a legal duty to provide tonnages. This includes data for each waste stream collected and where they are disposed of, including the final reprocessing facility.
- 1.3.3 The latest publication, with audited data for 2017/18, is attached at **Annex 1** to this report. The KRP's key headline performance indicators for Kent are:

- 46.7% of household waste was sent for reuse, recycling or composting (target of 50% by 2020);
- 1.1% of all municipal waste sent to landfill (down from 18.2% in 2013/14);
- 709,000 tonnes of waste collected, a 3% reduction on the previous year; and
- 76.1% of waste collected was processed in Kent, with an additional 15.2% processed within the UK and just 8.7% sent abroad for treatment.

1.3.4 The equivalent indicators for TMBC's household waste are:

- 41.7% of household waste was sent for reuse, recycling or composting. This is expected to improve to around 48% following the full roll out of the new collection services later this year;
- 0.1% of all municipal waste sent to landfill (down from 8% in 2013/14);
- 50,008 tonnes of waste collected, a 1% reduction on the previous year; and
- 86.4% of waste collected was processed in Kent, with an additional 11.2% processed within the UK and just 2.4% sent abroad for treatment (mainly some plastics for reprocessing in Europe and textiles for reuse & recycling projects).

1.4 Great British Spring Clean

1.4.1 The Great British Spring Clean is a national initiative launched several years ago by Keep Britain Tidy, the national campaign organisation which aims to raise awareness of litter and its impact on the natural & built environment. In 2019 the theme of the campaign was to reduce the amount of single use plastics being discarded and thus reduce the harm those items cause to wildlife.

1.4.2 All 13 KRP councils supported this year's Great British Spring Clean campaign which took place from 22 March to 23 April 2019. In Tonbridge and Malling this Council supported more than 70 events borough-wide from Walderslade to Tonbridge, and from Borough Green to Wateringbury. As a result:

- at least 575 volunteers took part in helping clean up their communities;
- over 900 sacks and many bulky items were collected and safely disposed of; and
- an estimated 1,500 hours of volunteer time was recorded just within the campaign period, with many more from our regular litter pickers across the borough who carry out clean ups throughout the year.

1.4.3 Organisers & participants came from businesses, schools, uniform groups, Parish Councils, “friends of” groups, street monitors, places of worship and Borough Councillors. The events attracted many good news stories for the local and national media, with huge support on social media.

1.5 Legal Implications

1.5.1 The Council has a statutory duty to provide refuse and recycling collection services. The extension of the existing Public Convenience Cleaning is in accordance with contract conditions and relevant procurement regulations.

1.6 Financial and Value for Money Considerations

1.6.1 None.

1.7 Risk Assessment

1.7.1 Careful planning, good communication with residents and coordinated arrangements for collections, help to ensure minimal disruption and effective delivery of these high profile services.

1.8 Policy Considerations

1.8.1 Communications

1.8.2 Community

1.8.3 Customer Contact

Background papers:

Nil

contact: David Campbell-
Lenaghan

Robert Styles

Director of Street Scene, Leisure & Technical Services

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Agenda Item 9

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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Agenda Item 10

The Chairman to move that the press and public be excluded from the remainder of the meeting during consideration of any items the publication of which would disclose exempt information.

**ANY REPORTS APPEARING AFTER THIS PAGE CONTAIN EXEMPT
INFORMATION**

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Agenda Item 11

Any other items which the Chairman decides are urgent due to special circumstances and of which notice has been given to the Chief Executive.

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