

TONBRIDGE & MALLING BOROUGH COUNCIL



EXECUTIVE SERVICES

Chief Executive

Julie Beilby BSc (Hons) MBA

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To: MEMBERS OF THE COUNCIL

Dear Sir/Madam

I hereby summon you to attend an extraordinary meeting of the Tonbridge and Malling Borough Council which will be held in the Civic Suite, Gibson Building, Kings Hill, West Malling on Tuesday, 18th September, 2018 at 7.30 pm, when the following business is proposed to be transacted:-

PART 1 - PUBLIC

1. Apologies for absence 3 - 4

2. Declarations of interest 5 - 6

To declare any interests in respect of recommended items

3. Waste Services Contract 7 - 52

The report seeks approval for a new "opt in" garden waste charge, the provision of new containers and a marketing/communications budget all associated with the new Waste Services Contract as recommended by the Cabinet at its extraordinary meeting on 4 September 2018

Copy of Street Scene and Environment Services Advisory Board report attached

Copy of Cabinet Minutes attached

4. Sealing of Documents 53 - 54

To authorise the Common Seal of the Council to be affixed to any Contract, Minute, Notice or other document requiring the same.

JULIE BEILBY
Chief Executive
Monday, 10 September 2018

Apologies for absence

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Agenda Item 2

Declarations of interest

To declare any interests in respect of recommended items.

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TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

18 September 2018

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

Part 1- Public

Matters For Decision

1 WASTE SERVICES CONTRACT

This report seeks approval for a new “opt in” garden waste charge, the provision of new containers and a marketing/communications budget all associated with the new Waste Services Contract.

1.1 Introduction

1.1.1 At its meeting on 4th September 2018 Cabinet considered and approved a number of recommendations associated with the new Waste Services Contract. These included the award of the contract to the successful contractor, the approval of service options and the approach to future communication/marketing.

1.1.2 In addition, Cabinet made a number of recommendations to Council as follows:-

- the new opt-in garden waste charge at the standard rate of £40 per year, as outlined in the report to Street Scene and Environment Services Advisory Board at paragraph 1.4.3 be agreed; and further detail on a reduced introductory charge be considered in accordance with proposals set out at 1.4.3 at a future meeting of the Advisory Board;
- the provision of new containers for the Waste Services Contract be added to the Capital Plan, funded from the earmarked reserve, as set out in the report;
- a marketing/communication budget be established to publicise and promote the new enhanced service in the sum of £100,000 funded from the Invest to Save reserve”.

1.1.3 Members will be aware that the new Waste Services Contract is due to commence on 1st March 2019, with the new improved service arrangements to be introduced on a phased basis between 1st July – 30th November 2019. The new service arrangements will include the following:-

- weekly food waste collection;
- fortnightly collection of residual waste;

- alternate fortnightly collection of mixed dry recyclate in a wheeled bin with a separate container for paper and card, and
- the separate fortnightly collection of garden waste (as an “opt in” charged service).

1.1.4 The new Waste Services Contract will improve service delivery, meet customer expectations for kerbside collection of dry recyclates, improve levels of recycling performance and make a financial contribution to the Council’s Savings and Transformation Strategy.

1.2 Charging Proposals

1.2.1 The proposed charging regime considered by Cabinet for the “opt in” garden waste service were as follows:-

- Annual fee for fortnightly collection of garden waste from a 240 litre garden waste bin - £40.00. Initial introductory offer to be made to residents to encourage take up - £35.00 guaranteed for first 2 years.
- Garden waste bin to be provided free of charge and remain in ownership of TMBC.
- Neighbours will be entitled to share a garden waste bin so long as one of them takes out a subscription.
- Residents can join the scheme at any time throughout the year. Payment options will include direct debit.
- A subscription only sack service for those with no room for a bin will also be provided on a fortnightly collection - £40.00 for three 90 litre hessian sacks. Same introductory offer as garden waste bin to apply.

1.2.2 Council will note from the above that the proposed “opt in” garden waste scheme offers excellent value for money at under £1 a week for the service with a proposed introductory offer to encourage as many people as possible to join the scheme. The introductory offer equates to 67 pence per week and is below the national and county average. The introductory offer would represent the lowest charge for this service in the county. The proposed approach outlined above has taken into account good practice from other local authorities which have recently gone down this route. The proposed charge also takes into account the contract cost to deliver this service, the depreciation cost of the containers supplied free to residents, the administration costs of processing the application and the client costs associated with monitoring this aspect of the contract. A number of details relating to the application of the charges, particularly in relation to the introductory offer, will be considered at the November 2018 meeting of the Street Scene & Environment Advisory Board.

1.3 New Containers

- 1.3.1 The new collection arrangements will require both District Partner Authorities (this Council and Tunbridge Wells Borough Council) to purchase new containers for residents in relation to internal and external food waste collection, and the “opt in” garden waste service. The selection of the new containers will be considered by the District Partner Authorities in close liaison with the successful contractor and Members of the Street Scene & Environment Advisory Board. A sum of £700,000 was set aside in an earmarked reserve specifically to meet the purchase cost of the new containers.
- 1.3.2 The estimated cost of the new containers is in the region of £600k based on published figures from the Eastern Shires Purchasing Organisation (ESPO) framework. This accounts for 51,000 internal and external food caddies, caddy liners and 20,000 240 ltr. wheeled bins for garden waste. Subject to final product selection and costings it is therefore anticipated that the earmarked reserve will be adequate to fund the container purchase in full.

1.4 Marketing/Communication

- 1.4.1 At meetings of the Street Scene & Environment Advisory Board Members have stressed the need for a high priority to be given to communication with residents over the changes being made to the service. Members have also expressed a wish for a wide range of marketing techniques to be used to reach as many residents as possible, and for communication to start as early as possible.
- 1.4.2 To assist in this regard a Strategic Communications Overview was approved by Cabinet on 4th September 2018 incorporating objectives, key messages, key communication principles, audiences, route to market, timings and risks. The Overview will be used to develop a more detailed Operational Marketing Plan.
- 1.4.3 To deliver a comprehensive Operational Marketing Plan will require an adequate budget. Whilst it is not possible at this stage to accurately specify a budget, as a number of initiatives may be delivered in partnership with the contractor or TWBC, the Waste & Resources Action Programme suggests a minimum budget of approximately £1.50 per household for communicating details of a new service. This would suggest an overall budget of £100,000. It is therefore the intention to utilise the Invest to Save Earmarked Reserve to fund the implementation of the Operational Marketing Plan at this level.

1.5 Legal Implications

- 1.5.1 The Council has a legal duty to provide waste and street cleansing services. The adoption of the proposed recycling collection services 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.

1.6 Financial and Value for Money Considerations

- 1.6.1 The financial implications of the new Waste Services Contract were outlined in detail in the reports considered by the Street Scene & Environment Advisory Board on 4th September 2018, including financial details on the garden waste charge, new containers and the marketing and communication budget.

1.7 Risk Assessment

- 1.7.1 The proposed “opt in” garden waste charge has taken into account good practice from other local authorities and is below the market average to encourage take up levels. In order to successfully introduce the new service arrangements it is essential that a carefully considered marketing plan is developed and implemented, designed to reach all of the community. Without such an approach there is a clear risk that residents will not fully engage in the new service and the objectives of the new contract will not be achieved. The budget to support the Marketing Plan has been based on industry guidance and close liaison will be undertaken with Tunbridge Wells Borough Council, the successful contractor and Members of the Council. The use of a purchasing framework for the purchase of the new containers will address a number of risks associated with procurement, and will provide a cost effective and efficient means of providing the new food caddies and wheeled bins.

1.8 Equality Impact Assessment

- 1.8.1 A detailed EQIA on the new Waste Contract was reported to the 4th September meeting of Street Scene & Environment Advisory Board. The report identified actions to address any impacts identified in the EQIA.

1.9 Policy Considerations

- 1.9.1 Communications
- 1.9.2 Community
- 1.9.3 Customer Contact
- 1.9.4 Procurement

1.10 Recommendations

- 1.10.1 It is RECOMMENDED that:-

- i) the new opt-in garden waste charge at the standard rate of £40 per year, as outlined in the report to the Street Scene and Environment Services Advisory Board at paragraph 1.4.3, be agreed; and further detail on a reduced introductory charge be considered in accordance with proposals set out at 1.4.3 at a future meeting of the Advisory Board;

- ii) the provision of new containers for the Waste Services Contract be added to the Capital Plan, funded from the earmarked reserve;
- iii) a marketing/communication budget be established to publicise and promote the new enhanced waste service in the sum of £100,000 funded from the Invest to Save Earmarked Reserve.

Background papers:

contact: Robert Styles

Nil

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TONBRIDGE & MALLING BOROUGH COUNCIL

STREET SCENE and ENVIRONMENT SERVICES ADVISORY BOARD

04 September 2018

Report of the Management Team

Part 1- Public

Matters for Recommendation to Cabinet - Council Decision

1 WASTE SERVICES CONTRACT RETENDER

Summary

The current Waste Services Contract for refuse, recycling and street cleansing is due to expire at the end of February 2019 and is being retendered on a partnership basis with Tunbridge Wells Borough Council and in liaison with Kent County Council.

In Part 2 of these papers Members are recommended to award the new South West Kent Waste Partnership contract 2019 to the successful contractor. Subject to this recommendation being agreed this report recommends to Council the levy of an 'opt-in' garden waste charge, the capital funding for the purchase of new containers and the creation of a marketing/communications budget. It also makes recommendations to Cabinet including an Equality Impact Assessment, a Communications Overview, and the use of an appropriate purchasing framework for the new containers.

1.1 Background

1.1.1 Further to previous reports to this Board, Members will be aware that the Council's Waste Services Contract is due to expire at the end of February 2019, and that Officers are currently working in partnership with Tunbridge Wells Borough Council (TWBC) and Kent County Council (KCC) on the future delivery of these services. The net cost of this Council's existing contract for refuse, recycling and street cleansing services is in the region of £4.3m per annum and provides a refuse and recycling collection service to over 52,000 households and a street cleansing service across the whole Borough. The desired outcome for the contract retender is to improve service delivery, meet customer expectations, improve levels of recycling performance, meet current and forthcoming legislation and at the same time, where possible, to make financial savings to the Council to help address the savings outlined in the Savings & Transformation Strategy.

1.1.2 At the June 2017 meeting of this Board Members approved the proposed recycling & refuse collection arrangements for an enhanced service, known as the

“NOM” (Nominal Optimal Method). The NOM will deliver a much improved service to residents and includes:

- Weekly Food Waste Collection;
- Fortnightly Collection of Residual Waste;
- Alternate Fortnightly Collection of Mixed Dry Recyclate (plastics, cartons, cans and glass) in a wheeled bin with a separate container for paper and card; and
- The separate fortnightly collection of garden waste (as an “opt in” charged service).

1.1.3 At the November 2017 meeting of this Board Members considered and agreed in principle the proposed Inter Authority Agreement and financial disaggregation arrangements between this authority and KCC.

1.1.4 At the last meeting of this Board in February 2018 Members agreed that a final Equality Impact Assessment be presented to this meeting and discussed in detail the importance of future communication with residents and the need for a proactive approach to marketing the new service. As a result it was agreed that a small Member Group be established to develop a Communications/Marketing Plan to include both traditional and newer forms of publicity and promotion.

1.2 Inter Authority Agreement

1.2.1 The Inter Authority Agreement (IAA) is a legally binding agreement between this Council as the Waste Collection Authority and KCC as the Waste Disposal Authority. The aim of the IAA is to encourage increased levels of recycling by providing this Council with an incentive to maximise kerbside recycling, directly reducing the waste disposal costs for KCC.

1.2.2 The IAA, which has been developed to mutually benefit both authorities, will replace all existing arrangements in relation to all waste related payments made by KCC to this Council other than the contribution to the Saturday Freighter Service. The IAA sets out in detail the financial obligations of each partner.

1.2.3 At the November 2017 meeting of this Board Members approved the core principles for the IAA including the financial arrangements and implications relating to the new contract. It was agreed that a final draft of the IAA be reported to this Board for approval.

1.2.4 The proposed final draft IAA, which has been developed over recent months in liaison with KCC, is included in full in Part 2 of these papers for Member approval.

1.2.5 The IAA is an extremely important document and has been the subject of careful consideration and review by Officers. Key issues worthy of note include:-

- the IAA shall commence on the date the new contract is awarded until 31st March 2027 and can be extended by mutual agreement for up to a further 10 years in successive extensions (as the case may be) to mirror the duration of the new contract;
- for the duration of the IAA TMBC will maintain the Nominal Optimal Model of Service, and deliver recyclables to transfer points and facilities specified by KCC;
- KCC will retain responsibility for the haulage and disposal of all materials and will endeavour to maximise the value of income from the sale of waste materials, and;
- TMBC will purchase necessary containers to facilitate the new collection arrangements.

1.3 Joint Working Agreement

- 1.3.1 A Joint Working Agreement (JWA) is being developed between this Council, TWBC and KCC. The aim of the Agreement, which is intended to be legally binding, is to commit all the parties to the most beneficial, economically advantageous and closest consideration possible in the delivery of Waste Services across the two boroughs. The Agreement enables cross border co-operation to improve efficiency and encourage increased recycling.
- 1.3.2 The JWA will supplement the IAA, by establishing the joint working arrangements and will make provision for the allocation of costs and liabilities on a fair basis between the parties.
- 1.3.3 The Agreement will be based on a number of core principles including openness and trust, developing and adapting reputation and standing, and reasonableness of decision making and actions. Within the Agreement it is intended that a Contract Partnership Manager will be appointed by the District Partner Authorities, who will be responsible for the administration of the contract and the production of an annual Service Plan for Member approval. The role of Partnership Manager will rotate between TMBC & TWBC on an annual basis. The production of a Service Plan to guide service delivery and monitor key performance outcomes is already being used effectively by the Communities & Housing Advisory Board in regard to the management of the Council's leisure facilities by the Tonbridge & Malling Leisure Trust. Following discussions with TWBC it is the intention that the role of Contract Partnership Manager will be undertaken by TMBC in the first year of the new contract.
- 1.3.4 Members are requested to delegate authority to the Director of Street Scene Leisure & Technical Services in liaison with the Cabinet Member for Street Scene & Environment to approve the final Joint Working Agreement.

1.4 Garden Waste Charges

- 1.4.1 At the October 2017 meeting of this Board Members were advised that the charging for garden waste collection (for those households who wish to opt in) is necessary to underpin the proposed service improvements. Local authorities have the power to charge for garden waste under The Controlled Waste (England & Wales) Regulations 2012 and it was noted at the meeting of this Board in October 2017 that the level of charge would be reported to this meeting of the Board as part of the award of the contract.
- 1.4.2 At the present time over 50% of local authorities nationally apply a garden waste charge ranging from £22 to £95 per annum. In addition to the annual charge some Councils also charge for the garden waste container, which then becomes the possession of the householder. In Kent, only this Council, Canterbury City Council, Medway Council and Tunbridge Wells Borough Council do not currently charge for garden waste, with an average charge across the county of £43.50 p.a. (Canterbury City Council do, however charge for the garden waste container).
- 1.4.3 Having undertaken a detailed review of different charging regimes the following proposal for the “opt in” garden waste service is brought forward for Members consideration:-
- Annual fee for fortnightly collection of garden waste from a 240 litre garden waste bin - £40.00. Initial introductory offer to be made to residents to encourage take up - £35.00 guaranteed for first 2 years.
 - Garden waste bin to be provided free of charge and remain in ownership of TMBC.
 - Neighbours will be entitled to share a garden waste bin so long as one of them takes out a subscription.
 - Residents can join the scheme at any time throughout the year. Payment options will include direct debit.
 - A subscription only sack service for those with no room for a bin will also be provided on a fortnightly collection - £40.00 for 3 ninety litre hessian sacks. Same introductory offer as garden waste bin to apply.
- 1.4.4 Members will note from the above that the proposed opt in garden waste scheme offers excellent value for money at under £1 a week for the service with an introductory offer to encourage as many people as possible to join the scheme. The introductory offer relates to 67 pence per week and is below the national and county average. The introductory offer would represent the lowest charge for this service in the county. It is recognised that the marketing of the scheme will be crucial to its success, particularly bearing in mind residents are currently receiving the service free of charge. The scheme needs to be recognised within the overall objectives of the new improved service arrangements and the marketing element

is addressed later in this report at sub-section 1.7. The proposed approach outlined above has taken into account good practice from other local authorities which have recently gone down this route. The proposed charge also takes into account the contract cost to deliver this service, the depreciation cost of the containers supplied free to residents, the administration costs of processing the application and the client costs associated with monitoring this aspect of the contract.

- 1.4.5 The success of the scheme will clearly have a direct impact on the financial implications of the new contract and the total income generated will be dependent on the take up of the scheme across the Borough. The financial impact of garden waste charging is addressed later in this report at sub-section 1.10, with a target take up of 30% used to determine the income generated. It is anticipated that, with an appropriate level of promotion & marketing resource, this level of take up should be achievable, and the charging strategy being proposed will assist in reaching the target.
- 1.4.6 Members are requested to recommend to Council the charging proposals for the collection of garden waste as outlined in the report. In making the decision it should be noted that Tunbridge Wells Borough Council may be applying a different level of charge, which is not considered to be an issue, subject to the matter being suitably addressed in the Operational Marketing Plan.

1.5 Purchase of new containers (capital expenditure)

- 1.5.1 The new collection arrangements will require both District Partner Authorities to purchase new containers for residents in relation to internal and external food waste collection, and the opt in garden waste service. The selection of the new containers will be considered by the District Partner Authorities in close liaison with the successful contractor and a final decision will be undertaken by the Member Group established by this Board. A sum of £700,000 was set aside in an earmarked reserve specifically to meet the purchase cost of the new containers. There is a need for this project to be included within the Council's Capital Plan and attached at **Annex 1** is a completed Capital Plan evaluation pro-forma for Members' approval.
- 1.5.2 Members will note from **Annex 1** that the estimated cost is in the region of £600k based on published figures from the Eastern Shires Purchasing Organisation (ESPO) framework. This accounts for 51,000 internal and external food caddies, caddy liners and 20,000 240 ltr. wheeled bins for garden waste. Subject to final product selection and costings it is anticipated that the earmarked reserve will be adequate to fund the container purchase in full. The Council has used purchasing frameworks on a number of occasions, most recently for the purchase of the new car park ticket machines. Separate to the purchase of the new containers provision already exists in List A of the Capital Plan for the replacement of existing containers and the purchase of new containers due to growth in housing numbers.

This budget provision will need to be reviewed and adjusted as part of the Capital Plan Review later in the financial year.

- 1.5.3 Members are requested to recommend to Council the purchase of containers for the new contract be added to the Capital Plan, funded from the earmarked reserve.

1.6 Contract implementation/mobilisation

- 1.6.1 The contract start date is 1st March 2019 with service commencement dates of 1st March 2019 for TMBC and 31st March 2019 for TWBC, delivering the services in accordance with the current arrangements. The new service model is required to be introduced across both District Partner Authorities between 1st July – 30th November 2019 with the contractor working in close liaison with the District Partner Authorities.
- 1.6.2 Subject to the award of the contract it is the intention for Officers from the District Partner Authorities to develop a detailed Mobilisation Plan to ensure the specific requirements of the contract are met. An essential element of the Plan will be providing clear and continuous communication with residents and this will be addressed alongside the Council's Operational Marketing Plan reported elsewhere in these papers. Members of this Board will be kept regularly updated on progress and will help ensure that a continuity of service is provided and service standards are maintained. The next two meetings of this Board are both in advance of the commencement of the new contract i.e. 5th November 2018 and 11th February 2019.

1.7 Marketing/Communication

- 1.7.1 At previous meetings of this Board Members have stressed the need for a high priority to be given to communication with residents over the changes being made to the service. Members have also expressed a wish for a wide range of marketing techniques to be used to reach as many residents as possible, and for communication to start as early as possible. This issue has also been highlighted in the Equality Impact Assessment reported later in these papers at sub-section 1.11.
- 1.7.2 To assist in this regard, an external marketing consultant was appointed to develop a Strategic Communications Overview to guide the work of the Officer Team and Member Group. A copy of the Plan produced by Maxim PR and Marketing is attached at **Annex 2** and Members will note that it incorporates objectives, key messages, key communication principles, audiences, route to market, timings and risks. The Overview was considered in advance of this meeting by the Member Group established by this Board, and a number of detailed comments were received which will be incorporated in the Operational Marketing Plan.

- 1.7.3 In terms of delivering the Operational Marketing Plan a new temporary 18 month post of Waste Contract Officer has been created to work alongside the Officer Team and the Council's own Media Team. The new post holder, previously undertook an identical role for the Mid-Kent Waste Partnership when it changed its Waste Contract arrangements across Ashford, Swale and Maidstone, has worked in the private sector and is already progressing a number of actions recommended in the Overview. The post holder will also work closely with the Member Group established by the Board, ensuring that Members are kept fully up to date with progress.
- 1.7.4 To deliver a comprehensive Operational Marketing Plan will require an adequate budget. Whilst it is not possible at this stage to accurately specify a budget, as a number of initiatives may be delivered in partnership with the contractor or TWBC, it is worthy of note that WRAP (Waste & Resources Action Programme) suggests a minimum budget of approximately £1.50 per household for communication details of a new service which would suggest an overall budget of £100,000. It is therefore the intention to utilise the Invest to Save Earmarked Reserve to fund the implementation of the Operational Marketing Plan at this level, and report back to Members of this Board on a regular basis.
- 1.7.5 Members are requested to approve the Strategic Communications Overview at **Annex 2** to this report and receive regular update reports to future meetings of this Board.
- 1.7.6 Members are further requested to recommend to Council a budget of £100,000 funded from the Invest to Save reserve to implement the Operational Marketing Plan.

1.8 IT Considerations

- 1.8.1 In order for the contract to be successfully mobilised and the NOM introduced efficiently & effectively, a number of IT-related projects will need to be undertaken both prior to contract start, and prior to the roll-out of the new services. Experience elsewhere indicates that without a significant investment of time & resource in implementing such changes there are real risks, not only of potential service failures, but also a high chance of public dissatisfaction, a lower level of uptake of the garden waste subscription service, and associated financial risks. There are a significant number of issues that need to be addressed. These include updated databases, reviewing GIS mapping data, testing of invoicing systems, development of garden waste subscription and payment systems and a review and update of the website. Partnership opportunities are currently being explored with Tunbridge Wells Borough Council and the Council's IT Services has identified the project as a priority within its work programme.

1.9 Legal Implications

- 1.9.1 The Council has a legal duty to provide waste and street cleansing services. The procurement of the new contract has been undertaken in compliance with all

current legislation, including the Public Contract Regulations. Legal Services at both this authority and Tunbridge Wells Borough Council – together with Dartford Borough Council’s Procurement team - have been directly involved in advising the Project Team throughout the procurement process, including specific involvement with the Inter Authority Agreements, Conditions of Contract and giving legal advice on the procurement process. Legal advice has also been sought from specialist Solicitors on the procurement process as required during the project.

- 1.9.2 The adoption of the proposed recycling collection services 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.

1.10 Financial and Value for Money Considerations

- 1.10.1 The financial implications of awarding the waste contract are set out in the Part 2 paper elsewhere on the agenda. This section sets out the financial implications of matters highlighted for Members’ attention within this public (Part 1) report. A summary of all the financial implications, assuming all recommendations are approved or supported, is appended to the Part 2 report.
- 1.10.2 The annual level of income in respect of the “opt-in” garden waste service is clearly dependent on the level of take-up of the service and the charge set. For the purpose of the financial model a take-up rate of 30% and a charge of £35 (see paragraph 1.4.3) have been used giving a gross income in the order of £550,000.
- 1.10.3 Inevitably, excluding any staff resources, there will be ongoing direct administrative costs for the Council in collecting the new stream of garden waste income (e.g. bank charges, correspondence, etc.). These non-staff costs will depend on the uptake of the garden waste service, but based on the assumption of a 30% take-up above, we estimate a cost of circa £25,000 per annum.
- 1.10.4 The Council will in future not have to make provision for the two recycling vehicles jointly owned with Tunbridge Wells Borough Council at an annual cost of £16,000 and for the replacement of bring banks at an annual cost of £3,000.
- 1.10.5 As noted in paragraph 1.5, subject to Members’ approval of the capital plan evaluation, the initial purchase of garden waste bins and internal and external food caddies at an estimated cost of £600,000 can be met from an earmarked reserve established for this purpose. Clearly, the estimated cost would increase were the take-up rate to be higher than the assumed 30%. There are a number of options as to how this potential increase in cost might be funded which will be the subject of further consideration in due course, as appropriate.
- 1.10.6 Quite apart from the imminent purchase of the new garden waste bins and caddies as set out above, we will need to make provision in our ongoing capital budget for new and replacement bins. In recognition of increased volumes, we estimate that an increase of £37,000 per annum needs to be provided for – and

this is set out in the capital plan evaluation at **Annex 1**. This aspect will be taken into account during the forthcoming capital plan review.

- 1.10.7 Finally, in relation to paragraph 1.7, Members are asked to recommend to Council that a 'one-off' marketing / communication budget in the sum of £100,000 is established in order to fulfil the Operational Marketing Plan. This can be funded from the Invest to Save earmarked Reserve subject to Member approval.

1.11 Equality Impact Assessment

- 1.11.1 Under the Public Sector Equality Duty (section 149 of the Equality Act 2010) the Council is required to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010; (ii) advance equality of opportunity between people from different groups; and (iii) foster good relations between people from different groups.
- 1.11.2 At the February 2018 meeting of this Board Members were advised that there are a number of individual specifications and service elements associated with the contract which deal with protected characteristics under the Equality Act. One example is the provision for a bin "pull out" service for those who require assistance such as disabled residents or those who are frail and elderly. At the meeting it was noted that a detailed EQIA was being undertaken with the assistance of Tunbridge Wells Borough Council's Corporate Governance Team. It was also noted that the intention of this Council was not to offer a concessionary reduction for the garden waste charge as being in receipt of Council Tax reduction is not in itself a protected characteristic within the Equality Act. It was also recognised that there are alternative methods of disposing of garden waste, such as home composting and using Household Waste Recycling Centres.
- 1.11.3 A copy of the final EQIA is attached at **Annex 3**. Members will note that the EQIA identifies three impacts to draw to the attention of the Board as follows:-
- i) The need for a supported service by those with a protected characteristic or disability who require assisted collections – this was built into the contract specification and allows for a possible increase in numbers over the duration of the contract. The successful contractor will be required to meet any requests for this assisted service.
 - ii) Communicate changes to the service to residents with the protected characteristics of age and disability – this issue has been addressed within the Strategic Communications Overview reported separately in these papers. The aim of the Operational Marketing Plan will be to reach all residents and all age groups within the Borough as far as it is practicable through a balance of traditional and more innovative forms of marketing/promotion.
 - iii) Monitor the delivery of the new contract to measure its success in improving levels of service including those with protected characteristics – regular monitoring reports will be reported to Members of this Board. This will involve

monitoring the provision of an assisted collection service to ensure it is meeting people's needs.

1.12 Policy Considerations

1.12.1 Communications

1.12.2 Community

1.12.3 Customer Contact

1.12.4 Procurement

1.13 Conclusion

1.13.1 The procurement of the new contract has been a major piece of work involving Officers from across the Council working in close partnership with colleagues from Tunbridge Wells Borough Council.

1.13.2 The new contract will offer real opportunities for service improvements which have been requested by residents over a number of years. The introduction of the kerbside collection of plastics and glass will help improve the Council's recycling rate which has remained largely unchanged over the last few years.

1.13.3 It is important to note, however, that the appointment of the successful contractor as set out in Part 2 is just another milestone within the delivery of the project, with a significant amount of work now required to ensure the successful mobilisation and implementation of the new arrangements. It has been recognised that good communication with our residents will be essential to the success of the new contract and this area will be the subject of ongoing liaison with Members.

1.14 Recommendations

1.14.1 It is RECOMMENDED to **CABINET** that:-

- i) the details and style of joint branding to be used by the successful contractor be considered in liaison with the established Member Group and Tunbridge Wells Borough Council;
- ii) delegated authority be given to the Director of Street Scene, Leisure & Technical Services in liaison with the Cabinet Member for Street Scene & Environment to approve the final form of the Joint Working Agreement to be entered into;
- iii) the role of Partnership Manager be undertaken in the first year of the new contract by this authority;

- iv) the current Capital Plan provision for the replacement of existing containers and purchase of containers for new households be reviewed and adjusted as part of the Capital Plan review;
- v) the procurement of the new containers for the Waste Services Contract be progressed through an appropriate Purchasing Framework;
- vi) the Strategic Communications Overview included at **Annex 2** and approach to the development of a detailed Operational Marketing Plan included within the report be approved;
- vii) the actions to address the impacts identified in the Equality Impact Assessment as outlined in the report be noted.

1.14.2 It is RECOMMENDED to **COUNCIL** that:-

- i) the charging proposals for the new opt in garden waste charge as outlined in the report be agreed;
- ii) the provision of new containers for the Waste Services Contract be added to the Capital Plan, funded from the earmarked reserve, as set out in **Annex 1** to the report;
- iii) a marketing/communication budget be established to publicise and promote the new enhanced service in the sum of £100,000 funded from the Invest to Save reserve.

Background papers:

contact: Robert Styles

Nil

Julie Beilby
Chief Executive

Robert Styles
Director of Street Scene, Leisure & Technical Services

for Management Team

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Capital Plan Evaluation

1	SSL&T Waste Services Contract – Purchase of new containers					
1	Specification:					
	(i)	Purpose of the scheme	To purchase containers for food waste and garden waste required for the new Waste Contract.			
	(ii)	Relevance to National / Council's Objectives	(a) National:	Delivery of priority services and a financially viable Council Reducing cost of procured services Developing/sustaining revenue income Recycling more household waste		
			(b) Council:			
2	Description of Project / Design Issues:					
	The new Waste Contract is being progressed in partnership with Tunbridge Wells Borough Council and Kent Council Council, and will see the provision of an improved service to households including the collection of food waste and dry recyclates. The contract will also see the introduction of an opt in service for garden waste. The new contract will require the purchase of internal and external food caddies, and a garden waste bin for those opting into the service.					
3	Milestones / Risks:					
	Mobilisation of the new contract arrangements will take place between July-November 2019, and the new containers will need to be procured and available to meet this timescale. It is the intention to use a procurement framework to achieve value for money.					
4	Consultation: Consultation will be undertaken between the District Partner Authorities, with the successful contractor and the established group of Members.					
5	Capital Cost: £600,000 estimated cost based on the purchase of 51,000 internal and external food caddies and 20,000 240 litre wheeled bins for the garden waste scheme to be funded from an earmarked reserve established for this purpose					
6	Profiling of Expenditure					
	2018/19 (£'000)	2019/20 (£'000)	2020/21 (£'000)	2021/22 (£'000)	2022/23 (£'000)	2023/24 (£'000)
7	Capital Renewals Impact: The containers will have a life expectancy of approximately 10 - 20 years and provision will need to be made in the Capital Plan for their renewal at an estimated £34,000 per annum and to cater for tax base growth (500 properties each year) at an estimated £3,000 per annum.					

Capital Plan Evaluation

8	Revenue Impact: The purchase of the new containers are required to meet the revised service arrangements of the new Waste Contract. The new arrangements include an opt in for residents to a garden waste collection service which will be subject to an annual fee. See covering report for detailed analysis.		
9	Partnership Funding: N/A		
10	Post Implementation Review: 12 months after mobilisation of new arrangements is complete.		
11	Screening for equality impacts:		
	Question	Answer	Explanation of impacts
	a. Does the decision being made or recommended through this paper have potential to cause adverse impact or discriminate against different groups in the community?	No	
	b. Does the decision being made or recommended through this paper make a positive contribution to promoting equality?	No	
c. What steps are you taking to mitigate, reduce, avoid or minimise the impacts identified above?	No		
12	Recommendation: The provision of new containers for the Waste Services contract be added to the Capital Plan List A, funded from an earmarked reserve.		

*Tonbridge & Malling Borough Council
New waste collection and recycling service
Strategic communications overview*

Prepared on behalf of Tonbridge & Malling Borough Council by
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1. Contents

1. Contents	2
2. Introduction	3
3. Aims, objectives and key messages	4
i. Aim of the communications plan	4
ii. Objectives	4
iii. Key messages	4
iv. Subsidiary messages	5
4. The corporate context	6
I. Alignment	6
II. Current vs future situation	7
III. The demographics of the borough	7
IV. How we will communicate – key principles	8
5. Audiences	9
6. Routes to market and timings	10
i. Routes to market	10
ii. Timings	11
7. Resource and indicative costs	12
8. Risks and mitigation	14

2. Introduction

Maxim PR & Marketing Ltd (Maxim), a long-established West Kent agency with a track record of working with local government, was commissioned by Tonbridge & Malling Borough Council (TMBC) to undertake an independent, high level review of the communications issues surrounding the introduction of the new waste collection and recycling service in 2019. The firm had previously been involved with developing a marketing analysis for the West Kent Waste Partnership Group in 2017.

As part of its work, Maxim was asked to look at issues such as:

- Key messages
- Possible risks and how to address them
- Audiences
- Communication channels
- Indicative costs

This report has been informed by meetings with and feedback from Council Officers, research into what has worked elsewhere in Kent and further afield and a realistic assessment of likely costs. The report is not intended to be a detailed marketing plan. That will be developed once a contractor has been appointed and further details are known about the new service arrangements.

3. Aims, objectives and key messages

Aim of the Communications Plan

The overall aim of the communications activity in the run-up to the new service should be:

To support the successful and smooth introduction of the new waste and recycling service in 2019, with residents understanding how to participate and how to correctly recycle as much material as possible.

Objectives

Underlying the overall aim of the work, there should be the following objectives:

- Informing all householders within the Borough which items can be recycled using the different domestic recycling/refuse bins/boxes and the waste food caddies
- Ensuring residents understand which other items can be recycled at municipal tips, bring sites and weekly bulk collection
- Achieving at least 30 percent of Borough households signing up to the new garden waste service

Key Messages

The proposed key messages are that:

- The new service is good for the environment
- It is better value for money
- It is easy to use
- It helps to protect the provision of other frontline Council services
- Charging for garden waste is more equitable (those who use the service pay for it) and is optional.

These messages largely mirror the agreed objectives for the retendering project:

- Increased recycling performance
- Financial savings
- Service improvement and efficiencies
- Greater consistency across partner organisations

Subsidiary Messages

Other messages that need to be included within future communications activity are:

- This is a massive logistical exercise involving 52,000 households. There will undoubtedly be teething problems but the Council will ensure residents can easily access support
- TMBC is one of only four councils in the County that doesn't currently charge for garden waste collection
- Residents have long-wanted kerbside recycling for plastics and glass – this is now being provided (TMBC is one of only two Councils in the country not to offer kerbside plastics)
- TMBC would have liked to introduce the new service sooner but was hindered by the contractual terms of the previous waste contract, which runs until the end of February 2019
- TMBC wants to improve performance in terms of its recycling. The new service aims to increase recycling rates from the current 42% to 50%, with a more convenient service for residents
- The new service is good for the local economy
- All new containers will be provided free of charge
- Popular services such as weekly bulk collections will remain
- Ten strategically placed recycling sites will be retained

4. The corporate context

Alignment

Communications regarding the new waste/recycling service will reflect the corporate vision set out in the Corporate Strategy 2017 - 19:

To be a financially sustainable Council that delivers good value services, provides strong and clear leadership and, with our partners, addresses the needs of our Borough.

With the following core values:

- *Taking a business-like approach* – focusing on ensuring good value for money, continuously reviewing how our services are provided and funded, focusing our available resources where they will have most beneficial impact, and maximising commercial opportunities.
- *Promoting Fairness* – acting transparently at all times and being accountable for what we do, and promoting equality of opportunities.
- *Embracing Effective Partnership Working* – achieving more by working and engaging effectively with a wide range of local partners from the private, public, voluntary and community sectors.
- *Valuing our environment and encouraging sustainable growth* – keeping our towns, villages and countryside clean and well maintained, planning for our future homes and jobs and seeking investment in economic regeneration and infrastructure.

Communications activity will be informed by what has worked well elsewhere, advice from organisations such as the Waste and Resources Action Programme, insight from the Corporate Communications team and assistance from external consultants. It builds on previous work undertaken by West Kent Waste Partnership Group and Kent Resource Partnership.

Current vs Future Situation

Below is a summary of the proposed changes in service:

Current service:

Material	Frequency	Containers
Garden Waste, Food Waste, Cardboard	Fortnightly	240L Wheeled Bin (Black with Green Lid)
Dry Recycling: Paper & cans	Fortnightly	55L Green Box
Residual Waste	Fortnightly	240L Wheeled Bin (Black with Black Lid)

Future service:

Material	Frequency	Containers
Food waste	Weekly	23L Food Bin
Residual waste	Fortnightly	240L Wheeled Bin
Dry recycling: Paper & card	Fortnightly	55L Green Box
Dry recycling: Glass, cans, plastics and cartons	Fortnightly	240L Wheeled Bin
Garden waste	Fortnightly opt-in, paid-for	240L Wheeled Bin

The principal changes are:

- The introduction of kerbside collections for glass and plastics
- Changes in the way food waste and cardboard are collected
- The introduction of a charge for collecting garden waste

The demographics of the Borough (and related issues to consider)

Geodemographic data (Acorn) about the Borough shows a broadly well-off population in good housing stock.

In Acorn terms:

1. 31.9% are Affluent Achievers
2. 9.3% are Rising Prosperity
3. 29.9% are Comfortable Communities
4. 20.6% are Financially Stretched
5. 8.1% are Urban Adversity
6. 0.2% are Not Private Households (residents of hostels, refuges etc)

Groups 4 and 5 are likely to contain those households which may have greater difficulty adapting to the new service – and being able to accommodate the proposed bins.

For example, 351 households in group 4 are pensioners and singles in social rented flats; 263 are people in deprived areas and high-rise flats; 499 are families and single people in social rented flats.

This is not new territory for the Council and resources will be directed accordingly, with, for example, teams of doorknockers available to go from residence to residence.

How we will communicate – key principles

All communications material will be prepared in accordance with TMBC's Corporate Communications Guide and:

- Be clear and easy-to-understand, written in plain English
- Have consistent branding
- Contain consistent key messages
- Allow for a two-way dialogue
- Where appropriate, prepared in consultation with Tunbridge Wells Borough Council, Kent County Council and the contractor
- Take into account the findings of the Equality Impact Assessment

5. Audiences

A number of different audiences will need to be considered when introducing the new waste & recycling service. Key messages will be consistent although actual marketing activity will differ from audience to audience. Broadly speaking, the audiences break down into internal and external ones.

Internal

- Member Working Group
- Other TMBC Councillors
- TMBC staff
 - The Directorate's existing Customer Services team
 - The corporate Customer Services team
 - The Gateway team
 - All employees as ambassadors for the Council
- The successful contractor
- Kent County Council

External

- Residents
- Parish and Town Councils
- Community and environmental groups
- Children and young people
- Social housing landlords
- Managing agents for private sector rented properties
- Street monitors
- Liberty Property Trust and similar developers
- MPs

6. Routes to market and timings

Routes to market

Experience from TMBC and other local authorities shows that door-dropped printed material and publicity in the local media remain effective ways of communicating with residents. However, it is important the marketing support for the new service adopts a multi-channel approach to reach as many residents as possible, as often as possible.

The work could include:

- 1-2-1 briefings – particularly recommended for the Borough's two MPs. Given there has already been publicity about the proposals for garden waste, an introductory briefing is advisable in the near future, with a second as details of the new service become clearer

- Briefing sheet for Members and other influencers
- TMBC intranet and team meetings
- Local media – early briefing is essential
- Email/text
- Frequently Asked Questions
- Social media
 - @TMBC Kent has 4,100 followers (as of June); there are 1,000 followers on Facebook. TWBC figures are 9,000 and 960 respectively so there may be scope to make better use of Twitter and build engagement in the run-up to the new service
 - YouTube – previous videos have been viewed up to 1,200 times each
 - Instagram could also prove useful but resource may well be better deployed elsewhere rather than trying to start and run a new social media account from scratch
- Council tax bill insert
- Website – Waste & Recycling is the first item on the home page of tmbc.gov.uk but there may be merit in a bespoke website with a link to the existing TMBC site that can be built externally. This would reduce the demand on the in-house IT team but also make it easier for residents to access a comprehensive source of information.
- Roadshows – shopping centres/community events/schools. Maidstone Borough Council ran an effective school assembly roadshow to promote the recycling of kitchen waste
- Advertising (print media, social media, SkyAdsmart, local radio, bus backs)
- Community noticeboards
- Doorknockers
- Councillors
- Customer Services team
- Community groups
- 200 Street monitors
- My Account

The content, timings and deployment of the above will be the subject of a separate Tactical Promotional Plan once further details of the contractor and operational scope of the new service are known. The Promotional Plan will be developed in close liaison with the Member Group established by the Street Scene & Environment Advisory Board.

Timings

Until the contract is awarded in early to mid-September 2018, it is not possible to develop a detailed timetable for the communications activity. However, some points to bear in mind include:

- The Council should aim for a four-month lead-in promotional campaign for the introduction of the new garden waste service
- There is already a degree of awareness that changes are coming.
- While it is generally beneficial to communicate early with residents, the Council needs to avoid generating too much interest if there are still outstanding issues to be resolved and if resource is not yet in place to respond to queries

7. Resource and indicative costs

Resource

TMBC will ensure sufficient resource is available to make sure a successful marketing campaign can be delivered.

Current human resource includes:

- Cllr David Lettington, Cabinet Member for the Environment
- Alison Sollis, Waste Contract Officer appointed in June, experienced in the implementation of waste/recycling collection services
- David Campbell-Lenaghan, Street Scene Manager
- Darren Lanes, Head of Street Scene & Leisure Services providing managerial support
- TMBC Comms Team fully briefed and ready to support
- The Directorate's existing Customer Services Team
- New contractor will make staff available
- Tamsin Ritchie, Environmental Projects Co-ordinator
- External Consultant – Maxim PR & Marketing

Given the scale of the proposed changes, it is recommended additional temporary staff are recruited to enable the Customer Services Team to cope with the high volume of calls to be expected.

Indicative costs

Clearly, the detailed Tactical Promotional Plan will need to reflect the budget available. The Council's overall budget is currently under pressure but in order to ensure a smooth transition to the new collection method and the promotion of garden waste service, a one-off budget will be required. It is also worth viewing promotion of the new garden waste service as an investment, as exceeding the 30% target take-up will generate additional revenue.

WRAP (Waste & Resources Action Programme) suggests a figure of at least £1.50 per household (guidance 2013 -15) for communicating details of a new service, therefore TMBC will require an estimated overall budget of £100,000.

By way of illustration, the following are some sample ballpark costs:

- Printing 3 x 50,000 x A4 polypropylene stickers to affix to repurposed wheeled bins = £7,200 x 3 = £21,600
- Film – introductory film (similar to the one produced by Tunbridge Wells Borough Council) = £3,500
- 30 sec advert, using above introductory video content, for use on TV and social media = £1,000 to include music licensing
- Sky AdSmart campaign using 30 sec advert above = £4,000 (c.15,000 households in the Tonbridge & Malling area can receive AdSmart. The campaign would deliver on average six viewings of the advert to 90 per cent of the eligible households)

- A radio advertising campaign on kmfm targeting West Kent would cost in the region of £200 a week, or £2,000 for a 10-week awareness-raising campaign. The West Kent audience reach is 45,000 adults over four weeks. However, as the audience is spread across Tonbridge, Tunbridge Wells and Sevenoaks, it would make sense to do a joint campaign with Tunbridge Wells Borough Council and then signpost listeners to further information for their area
- Editing of food recycling animation produced for Maidstone Borough Council = £2,000 plus licensing fees (assumes MBC is willing to allow this)
- Media advertising – this is problematic as there is no single publication focused solely on the area covered by Tonbridge & Malling. Two options are set out below:
 - Adverts in the Courier will appear in Tunbridge Wells as well. However, a half page print advert (cost £380 for a single insert) comes with a package that includes 35,000 online geo-targeted impressions (which can be focused reasonably tightly on Tonbridge & Malling)
 - If booked far enough in advance, it would be possible to secure the back page of the Times of Tonbridge, which has a circulation of 10,000 and is not distributed in Tunbridge Wells. The full page costs £400, so a 12-week campaign with the advert appearing every other week would cost at most £2,400
- Printing 8-page A5 introductory brochure X 50,000 for the introductory pack = £3,500 (there would also be a design cost)
- Postage – by way of illustration, it cost £15,433.28 to post the 2018 council tax bills
- Simple flyers and leaflets – to be designed and printed in-house

8. Risks and mitigation

Introducing a key, new service on this scale is fraught with risk, both in terms of its practical implementation and the council's reputation.

Areas of potential concern include:

Concern	Mitigation
Poor take-up of garden waste service.	Early marketing campaign & allowing plenty of time for sign up before service commences – however not delaying service start too long or will miss growing season.
Discontent with introduction of chargeable garden waste collection.	Effective media briefing; robust messages and marketing campaign. Setting of charge to reflect county average and consider promotional incentive.
Residents adding garden waste to their residual waste.	Clear labelling of residual waste bin showing unacceptable materials (garden & food waste). Initial light touch educational approach with subsequent sanctions for repeat offenders.

Residents' frustration at being unable to easily contact sources of advice/help.	Investment in Customer Services team; development of comprehensive website information; clearly produced explanatory literature.
Failing to meet the national recycling target of 50% by 2020.	Ongoing educational & promotional activities to reinforce messages. Participation monitoring to measure success and target any poor performing areas. Ongoing communications with residents thanking them for using the new service – publicise any increase in recycling rates.
Residents fail to sort recyclates correctly and put the wrong waste in the wrong bins/boxes.	Development of a comprehensive, multi-channel tactical marketing campaign with adequate financial and human resource.
Deteriorating service if current incumbent is not reappointed.	TMBC Contract Manager will strive to work with the existing contractor to deliver the standard of service expected and encourage the co-operation of existing contractor during the handover period. Additional monitoring staff appointed.
Insufficient in-house IT resource for timely website amends.	Build an external bespoke website linked to the corporate website. This will give the residents instant access to all the information they need.
Data issues (no matter how good the comms, if there is a repeat of the North Herts garden waste collection problems, the council will receive weeks of bad publicity).	Systems must be thoroughly tested and trialled. Engage in-house IT early in the mobilisation process to ensure systems in place for processing payments (all types) and data feed/compatibility to new contractor.
Concern among contractor staff about their jobs.	New contractor 'open days' and communications to allay fears.
Adverse press coverage.	Early briefing of the press on the new service. Media training can be made available if required.
Inconsistent messaging to the local media from TMBC, TWBC and the new contractor.	Agree common protocols between the three parties regarding content/issuing of press releases.
Ineffective partnership working with TWBC.	Clear project management structure between authorities.

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Summary of decision to be made:	To agree a new contract for the provision of refuse, recycling and street cleansing for Tunbridge Wells Borough Council and Tonbridge and Malling Borough Council.		
Lead Officer (job title):	Corporate Governance Officer (Tunbridge Wells Borough Council)		
Date the final decision is due to be made:	17/09/2018	Date this assessment commenced:	19/10/2017
Sign off by Tunbridge Wells B.C.	Name / electronic signature	Date:	Click here to enter a date.
Sign off by Tonbridge & Malling B.C.	Name / electronic signature	Date:	Click here to enter a date.
Is the decision relevant to the aims of the Public Sector Equality Duty to:			
Eliminate discrimination, harassment and victimisation			No
Advance equality of opportunity			Yes
Foster good relations			No
Background:			
The current waste services contract for refuse, recycling & street cleansing is due to end in 2019 and is being retendered on a partnership basis. This will provide waste collection services to:			
52,736 households in the Borough of Tonbridge and Malling			
49,038 households in the Borough of Tunbridge Wells			
Source: Partner Authorities Waste Data as at 31 October 2017			
Scope of this equality impact assessment:			
This Equality Impact Assessment will consider the Nominal Optimal Method as the selected collection system, and is summarised as:			
Refuse and Recycling Collection Services:			
<ul style="list-style-type: none"> • A weekly food waste collection • An alternating fortnightly collection of mixed dry recyclables <ul style="list-style-type: none"> ○ Plastic, metals, cartons and glass (in wheeled bin) ○ Paper and card (separate container) • An alternating fortnightly collection of residual waste (majority wheeled bin; plus exemptions via sacks and communal/bulk bins) • A separate fortnightly "opt in" Collection of garden waste (wheeled bin) 			
Street Cleansing Services:			
<ul style="list-style-type: none"> • Cleansing of public highways • Car park cleansing • Cleansing of miscellaneous Council owned land and other related land • Emptying of litter and dog bins • Removal of fly tipping 			

The table below indicates whether the Nominal Optimal Method will change the frequency of collection or type of material collected at each authority:

Tonbridge and Malling Borough Council	Tunbridge Wells Borough Council
<ul style="list-style-type: none"> – Plastic, glass and cartons to be included in fortnightly recycling collection (paper and card currently collected) – Fortnightly garden waste collection to become opt in – Food waste to be collected weekly (was fortnightly) 	<ul style="list-style-type: none"> – Glass and cartons to be included in fortnightly recycling collection (plastic and cans currently collected) – Fortnightly garden waste collection to become opt in – Food waste to be collected weekly (was fortnightly)

This Equality Impact Assessment will focus on those aspects of the service where there is a potential for change, including:

- The principle of charging for the collection of garden waste
- The possibility of an increase in the quantity or weight of containers that residents will need to use
- Provision of a Weekend Civic Amenity Refuse Collection Service in Tunbridge Wells to collect bulky domestic waste items (excluding garden waste) from those who live in parishes located away from the North Farm Tip.
- Provision of a Saturday Freighter Service in Tonbridge & Malling to collect bulky domestic waste items (excluding garden waste)

Page 10

This Equality Impact assessment focuses on the contract specifications for refuse, recycling and street cleansing services. It does not consider operational issues in relation to how the service will be delivered in each local authority.

Data and information:

Census (2011)

Average Household Size is in line with the Kent (2.4) and national average (2.4):

Tonbridge & Malling: 2.5

Tunbridge Wells 2.4

Performance and residents feedback

Tonbridge & Malling:

- Recycling performance is 42%
- Feedback includes reports of bins not being returned correctly, outstanding replacements or repairs and repeated missed bins. Figures show an increase from 1048 in 2015/16 to 1404 in 2016/17.

Tunbridge Wells:

- Recycling performance is 48%
- The average number of missed bins per collection day increased from 7.83 in 2016/17 to 18.37 in 2017/18.
- The average number of days to remove fly tips reported to the Council increased from 1.67 in 2016/17 to 2.33 in 2017/18.
- Standard of performance of street cleansing improved from 98.03% in 2016/17 to 100% in 2017/18.
- Complaints received through the complaints procedure only (does not include service requests such as missed collections or requests for replacement bins) show there has been an increase of complaints in relation to the refuse and recycling collection service from 53 in 2015/16 to 66 in 2016/17. The number of fly tipping complaints has increased from 1 to 3 in the same period. The number of complaints relating to litter has increased from 7 in 2015/16 to 14 in 2017/18. There has been a decrease of complaints relating to street cleansing from 4 in 2015/16 to 3 in 2016/17.

Conclusions: the way customer feedback is recorded differs across authorities so direct comparisons between authorities cannot be made. Whilst levels of complaint are relatively low the figures indicate a slight increase in complaints in the last two financial years.

Consultations

Tonbridge & Malling: no consultation data available.

Tunbridge Wells: for refuse and recycling services, the Residents' Survey 2015 found that:

- 94% of respondents used kerbside collection of household rubbish
- 84% used kerbside collection of green waste and food waste for composting
- 81% used kerbside collection of paper & cardboard recycling
- 76% used kerbside collection of plastic pots, tubs, bottle and cans
- 47% used local recycling sites
- Satisfaction with kerbside collections and recycling services was high with 8 in 10 indicating they were satisfied.
- Satisfaction was highest for the weekend civic amenity vehicle waste collection service (90%) kerbside collection of paper and cardboard recycling (89%) local recycling sites (89%) and kerbside collection of plastic pots, tubs, bottle and cans (89%).
- 53% of respondents indicated that they would support a £5 increase across the year to the Council Tax they pay to preserve some services such as bin collection. 39% indicated that they would not support it and 8% were unsure. There were significant differences by working status as follows:
 - Working residents: 56% would support it
 - Residents looking after the home: 57% would support it
 - Unemployed residents: 36% would support it
- The Overview and Scrutiny Committee appointed a Task and Finish Group to review the process leading up to the renewal of the Council's Recycling and Household Waste Collection Contract. The Group spoke with a number of stakeholders and gained information from a number of sources on how waste and recyclables are currently managed and formed a view of how a recycling/household waste service may operate over the next 8-10 years with increased recycling and better cost effectiveness. The Group noted that:
 - Following implementation of changes to the frequency of the Civic Amenity Refuse Collection Service, the tonnage collected by vehicles

has reduced significantly, from 750 tonnes between August 2015 and December 2015 to less than 240 tonnes, with 62 tonnes of compostable material being recycled.

- All Councils in Kent, with one exception, offer a chargeable opt in garden waste collection service.
- An ongoing programme of messages and education around recycling and waste minimisation is necessary.

Relevance to the three aims of the Public Sector Equality Duty:

1. The provision of refuse and recycling collection services and street cleansing services is not relevant to the first aim of the Duty to eliminate discrimination, harassment and victimisation.
2. The need to consider how we can take steps to meet the needs of people with “protected characteristics”, who receive refuse and recycling collection services and street cleansing services, is relevant to the second aim of the Duty to advance equality of opportunity.
3. The provision of refuse and recycling collection services and street cleansing services is not relevant to fostering good relations.

For each of the following characteristics:

- Summarise available data, statistics or consultation findings.
- State how the proposal will impact on people.
- What action will be taken to reduce or mitigate any potential negative impacts.

Disability

Data and information

Census (2011): the percentage of the population in receipt of disability benefits (individuals not households) is lower than the Kent (8%) and national average (8.2%):

Tonbridge & Malling: 6.4%

Tunbridge Wells: 5.7%

The percentage of households with one or more people with a long-term health problem or disability:

Tonbridge & Malling: one person - 23%; two or more people - 6%.

Tunbridge Wells: one person - 22%; two or more people - 5%.

Number of assisted collections:

Tonbridge & Malling: 977 (2%)

Tunbridge Wells: 1731 (approximate) (3.7%)

Complaints and service requests relating to assisted collections are not consistently monitored across both authorities. Tonbridge & Malling recorded 12 missed assisted collections in 2016/17 (0.85% of all complaints). Tunbridge Wells recorded one complaint relating to assisted collections in 2016/17.

Consultations:

The Residents' Survey (2015) for Tunbridge Wells found that 35% of respondents who are permanently sick or disabled would support a £5 increase across the year to the Council Tax they pay to preserve services some services such as bin collection, compared with 54% of respondents overall.

Assessment of impacts

Charging for services

Residents with a disability who are in receipt of benefits or unable to work may not be able to afford to opt-in to the new garden waste collection service.

Domestic garden waste can be disposed of free-of-charge at KCC's Household Waste Recycling Centres. Home composting is an alternative means of disposal. Although not necessary, composting bins can be purchased for significantly less than the annual collection charge. The Council is already part of a scheme which provides home compost bins at discounted prices for its residents.

Possible increase in the quantity or weight of containers

Where additional recycling items will be collected, this may be an improvement in the service for people with disabilities. Residents may have previously taken these to recycling sites which could present accessibility problems for people with disabilities. However, there is also a need to be mindful of the possibility that the weight of containers could increase which may present problems in lifting these to the collection point for some people with disabilities.

The contract includes provision for assisted collections – including for bulky items - and also allows for possible increases in numbers over the duration of the contract.

Weekend Civic Amenity Vehicle (TWBC) & Saturday Freighter Service (TMBC)

We have no data to indicate what proportion of people with disabilities use these services. It is possible that residents with a disability, who are unable to travel to an HWRC, may use the services.

The provision of the Weekend Civic Amenity Refuse Collection and Saturday Freighter Services are included in the contract specification as discretionary items. It is recommended that the services be maintained with garden waste excluded due to the subscription service being introduced.

Provision of information

	<p>It will be necessary to consider how information about changes to the service are communicated to residents with disabilities in an accessible format, including those who receive assisted collections.</p> <p>The Communications Strategy for the new contract and the NOM service will allow for information to be provided in a variety of media and print material will be made available in alternative formats on request.</p>
Race	<p>Data and information</p> <p>Census (2011) Ethnic group of household reference person:</p> <ul style="list-style-type: none"> ▪ Tonbridge & Malling: 97% White; 0.7% Mixed/Multiple ethnic group; 1.4% Asian/Asian British; 0.4% Black/African/Caribbean/Black British; 0.2% Other ethnic group. ▪ Tunbridge Wells: 96% White; 0.8% Mixed/Multiple ethnic group; 1.9% Asian/Asian British; 0.6% Black/African/Caribbean/Black British; 0.3% Other ethnic group. <p>Assessment of impacts</p> <p>Although there is a slight difference in demographics between authorities, we have no evidence to indicate that people have different needs based on their ethnic group, in relation to refuse, recycling and street cleansing services. We have not identified any needs that would need to be addressed in the contract.</p>
Sex	<p>Data and information</p> <p>We have no evidence to indicate that males would have different needs to females in relation to refuse, recycling and street cleansing services.</p> <p>Assessment of impacts</p> <p>We have not identified any needs that would need to be addressed in the contract.</p>
Age	<p>Data and information</p> <p>Census (2011) One person households over the age of 65 are in line with Kent and national averages:</p>

- Tonbridge & Malling: one person - 1%; one family - 10%; other household types all aged over 65 - 0.3%.
- Tunbridge Wells: one person - 12%; one family - 9%; other household types all aged over 65 - 0.2%.

Consultations:

The Residents' Survey (2015) in Tunbridge Wells found that 54% of retired respondents would support a £5 increase across the year to the Council Tax they pay to preserve services some services such as bin collection, compared with 54% of respondents overall.

Assessment of impacts

Charging for services

Residents of all age groups who are in receipt of benefits or unable to work may not be able to afford to opt-in to the new garden waste collection service. We have little evidence to indicate whether some age groups would be more or less able to pay for the collection of garden waste.

Domestic garden waste can be disposed of free-of-charge at KCC's Household Waste Recycling Centres. Home composting is an alternative means of disposal. Although not necessary, composting bins can be purchased for significantly less than the annual collection charge. The Council is already part of a scheme which provides home compost bins at discounted prices for its residents.

Possible increase in the quantity or weight of containers

We have no evidence to indicate that particular age groups will be disadvantaged, in relation to refuse, recycling and street cleansing services.

An assisted collection service – including for bulky items - will be available to people with disabilities, regardless of age group. Large bins will continue to be offered for households that meet appropriate qualifying criteria. For example, households with six or more permanent residents or with children in nappies.

Weekend Civic Amenity Vehicle (TWBC) & Saturday Freighter Service (TMBC)

We have no data to indicate what proportion of age groups use these services. It is possible that people of some age groups, who are unable to travel to an HWRC, may use the services.

The provision of the Weekend Civic Amenity Refuse Collection and Saturday Freighter Services are included in the contract specification as discretionary items. It is

	<p>recommended that the services be maintained with garden waste excluded due to the subscription service being introduced.</p> <p>Provision of information It will be necessary to consider how information about changes to the service are communicated to residents of all age groups.</p> <p>The Communications Strategy for the new contract and the NOM service will allow for information to be provided in a variety of media and print material will be made available in alternative formats on request. Promotional activities will be aimed at all age groups.</p>
<p>Religion / Belief</p>	<p>Data and information We have no evidence to indicate that people would have different needs based on their religion/belief in relation to refuse, recycling and street cleansing services.</p> <p>Assessment of impacts We have not identified any needs that would need to be addressed in the contract.</p>
<p>Sexual Orientation</p>	<p>Data and information We have no evidence to indicate that people would have different needs based on their sexual orientation in relation to refuse, recycling and street cleansing services.</p> <p>Assessment of impacts We have not identified any needs that would need to be addressed in the contract.</p>
<p>Pregnancy / Maternity</p>	<p>Data and information We have no evidence to indicate that people would have different needs based on pregnancy/maternity in relation to refuse, recycling and street cleansing services.</p> <p>Assessment of impacts We have not identified any needs that would need to be addressed in the contract.</p> <p>Although no specific needs for pregnancy/maternity have been identified, the contract does include provision for temporary assisted collections – including for bulky items - to households</p>

	on request.			
Marital or Civil Partnership Status	We have identified that the provision of refuse and recycling collection services and street cleansing services is not relevant to the first aim of the duty to eliminate discrimination, harassment and victimisation.			
Gender reassignment	<p>Data and information</p> <p>We have no evidence to indicate that people would have different needs based on gender reassignment in relation to refuse, recycling and street cleansing services.</p> <p>Assessment of impacts</p> <p>We have not identified any needs that would need to be addressed in the contract.</p>			
Armed Forces Community	<p>Data and information</p> <p>The needs of the Armed Forces community are considered as part of the commitments within the Community Covenant to encourage support for the Armed Forces community working and residing in the borough.</p> <p>Assessment of impacts</p> <p>We have not identified any needs that would need to be addressed in the contract.</p>			
General	<p>Information about suppliers' track record in relation to equality legislation will be collected at the selection stage process in line with the Crown Commercial Service's Procurement Policy Note: Standard Selection Questionnaire (SQ).</p> <p>As part of the tender evaluation process, grounds for discretionary exclusion included breaches of social & labour law obligations (section 3 of the ITT), and specifically obligations under the Equality Act 2010 (Section 7.9).</p>			
Please tick the outcome of this assessment:	No impact	Adjust the policy	Continue the policy ✓	Stop and remove the policy
How will you summarise the impacts in the committee report:	We have considered how we can take steps to meet the needs of people with protected characteristics, who receive refuse and recycling collection services and street cleaning services, and have identified that:			

	<ul style="list-style-type: none"> ▪ The needs of those who have a protected characteristic of disability and require assisted collections have been built into the specification for the new contract. ▪ It will be necessary to consider how information about changes to the service are communicated to residents with the protected characteristics of age and disability. ▪ The procurement of a new contract is intended to improve the level of service received by all residents, including those with protected characteristics. It will be necessary to monitor the delivery of the contract to ensure the service is delivered to an expected standard. This should include monitoring the provision of an assisted collection service to ensure it is meeting people’s needs.
<p>When will you review this assessment:</p>	<p>24/07/2018 During evaluation of tenders and prior to a final decision being made on the award of the contract on 17 September 2018.</p>

TONBRIDGE AND MALLING BOROUGH COUNCIL

CABINET

Tuesday, 4th September, 2018

Present: Cllr N J Heslop (Chairman), Cllr M A Coffin, Cllr Mrs M F Heslop, Cllr D Lettington, Cllr P J Montague and Cllr H S Rogers

Councillors Mrs J A Anderson, O C Baldock, M A C Balfour, Mrs P A Bates, Mrs S Bell, R P Betts, P F Bolt, M O Davis, S M Hammond, D Keeley, D Keers, R D Lancaster, B J Luker, Mrs A S Oakley, M Parry-Waller, S C Perry, M R Rhodes, R V Roud, T B Shaw, C P Smith, A K Sullivan and Miss G E Thomas were also present pursuant to Access to Information Rule No 23.

PART 1 - PUBLIC

CB 18/52 DECLARATIONS OF INTEREST

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

EXECUTIVE KEY DECISION AND MATTERS FOR RECOMMENDATION TO THE COUNCIL

CB 18/53 WASTE SERVICES CONTRACT RETENDER

Decision Notice D180050CAB (Items 1 – 14)

The report of the Borough Council's Management Team sought approval of a number of recommendations considered at the Street Scene and Environment Services Advisory Board of 4 September 2018 related to the Waste Services contract and tendering exercise.

In addition, the report proposed approval and/or endorsement of three separate recommendations to be referred to the Extraordinary Council meeting on 18 September 2018.

The positive and detailed discussion at the Street Scene and Environment Services Advisory Board immediately prior to the meeting of Cabinet was noted. The potential to improve recycling rates within the Borough as a result of an enhanced service was also noted.

RESOLVED: That the recommendations of the Street Scene and Environment Services Advisory Board held on 4 September 2018 be approved as follows:

- (1) the procurement process undertaken by Officers be endorsed;

- (2) the South West Kent Waste Partnership – Waste Services Contract 2019 be awarded to the successful contractor as detailed in the report;
- (3) the future provision of bring sites includes the ten locations outlined in the report (at paragraph 1.6.1(ii)) with a review of bring sites to be reported to a future meeting of the Street Scene and Environment Services Advisory Board;
- (4) the existing service arrangements for the Saturday Bulky Household Waste and WEEE collections be retained (excluding garden waste) with a review of the arrangements to be reported to a future meeting of the Street Scene and Environment Services Advisory Board;
- (5) the high speed roads within the Borough continue to be cleansed 12 times a year with a review after 12 months of operation;
- (6) the proposed draft Inter Authority Agreement be approved and authority delegated to the Directors of Street Scene, Leisure and Technical Services and Finance and Transformation to make any final amendments, in liaison with the Cabinet Members for Street Scene and Environment Services and Finance, Innovation and Property;
- (7) regular updates on the arrangements for the new contract be reported to the Street Scene and Environment Services Advisory Board;
- (8) the details and style of joint branding to be used by the successful contractor be considered in liaison with the established Member Group and Tunbridge Wells Borough Council;
- (9) delegated authority be given to the Director of Street Scene, Leisure and Technical Services, in liaison with the Cabinet Member for Street Scene and Environment Services, to approve the final form of the Joint Working Agreement to be entered into;
- (10) the role of Partnership Manager be undertaken in the first year of the new contract by Tonbridge and Malling Borough Council;
- (11) the current Capital Plan provision for the replacement of existing containers and purchase of containers for new households be reviewed and adjusted as part of the Capital Plan review;
- (12) the procurement of the new containers for the Waste Services Contract be progressed through an appropriate Purchasing Framework;

- (13) the Strategic Communications Overview and approach to the development of a detailed Operational Marketing Plan be approved; and
- (14) the actions to address the impacts identified in the Equality Assessment be noted

RECOMMENDED: That the following be referred to Council



- (1) the new opt-in garden waste charge at the standard rate of £40 per year, as outlined in the report to the Street Scene and Environment Services Advisory Board at paragraph 1.4.3, be agreed and further detail on a reduced introductory charge be considered in accordance with proposals set out at 1.4.3 at a future meeting of the Advisory Board;
- (2) the provision of new containers for the Waste Services Contract be added to the Capital Plan, funded from the earmarked reserve; and
- (3) a marketing/communication budget be established to publicise and promote the new enhanced service in the sum of £100,000 funded from the Invest to Save reserve.

***Referred to Council**

CB 18/54 EXCLUSION OF PRESS AND PUBLIC

There were no items considered in private.

The meeting ended at 9.00 pm

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Agenda Item 4

Sealing of Documents

To authorise the Common Seal of the Council to be affixed to any Contract, Minute, Notice or other document requiring the same.

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