

AGENDA MANAGEMENT SHEET

Name of Committee	Cabinet
Date of Committee	11 December 2008
Report Title	A Review of the Restrictions at Household Waste Recycling Centres Regarding the Acceptance of Vans and Pick ups
Summary	The Environment Overview and Scrutiny Committee considered the findings of a review of the 'Van Ban' policy at its meeting on 13 November. This report sets out the recommendations approved by the Committee.
For further information please contact	Roy Burton Group Manager, Waste Management Tel. 01926 412593 royburton@warwickshire.gov.uk
Would the recommended decision be contrary to the Budget and Policy Framework?	No
Background Papers	None.

CONSULTATION ALREADY UNDERTAKEN:- *Details to be specified*

Other Committees	<input checked="" type="checkbox"/> Environment Overview and Scrutiny Committee 13.11.08
Local Member(s) (With brief comments, if appropriate)	<input type="checkbox"/>
Other Elected Members	<input checked="" type="checkbox"/> Councillor J Appleton Councillor K Browne Councillor Mrs E Goode }
Cabinet Member (Reports to The Cabinet, to be cleared with appropriate Cabinet Member)	<input checked="" type="checkbox"/> Councillor M Heatley
Chief Executive	<input type="checkbox"/>
Legal	<input checked="" type="checkbox"/> I Marriott - agreed.

- Finance
- Other Chief Officers
- District Councils
- Health Authority
- Police
- Other Bodies/Individuals

FINAL DECISION **YES** *(If 'No' complete Suggested Next Steps)*

SUGGESTED NEXT STEPS :

Details to be specified

- Further consideration by this Committee
- To Council
- To Cabinet
- To an O & S Committee
- To an Area Committee
- Further Consultation

Cabinet – 11 December 2008

A Review of the Restrictions at Household Waste Recycling Centres Regarding the Acceptance of Vans and Pick ups

Report of the Strategic Director for Environment and Economy

Recommendations from the Environment Overview and Scrutiny Committee

1. That Cabinet approves the proposals in Section 2 of the report.
2. That Cabinet approves the proposed revised policy at **Appendix B**.
3. That the arrangements for the acceptance of vans at Re-use shops be as set out in paragraph 3.1 (b) of this report.
4. That the Strategic Director for Environment and Economy be authorised to approve exceptions and make minor changes to the policy as he considers appropriate.

1. Introduction

- 1.1 Following increasing concern and comments from Members concerning the current Van Ban Policy, the Council's internal Business Consultancy Unit (BCU) was commissioned to review the policy. A summary of their report is detailed in **Appendix A**.
- 1.2 The Van Ban policy was introduced in 1998 as a result of significant increases in waste delivered to household waste recycling centres. The increases were considered to be due to the introduction of the Landfill Tax in 1996. This increased the cost to the public of hiring skips and the cost to the commercial sector in disposing of commercial waste. To avoid such increases in costs we believe that both the public and some commercial organisations endeavoured to make more use of recycling centres, increasing inputs.
- 1.3 Initially a total ban was introduced on all vans and pick ups but in 1999 a permit system was introduced for households whose only vehicle in the family was a small car derived van or pick up (less than 2.2 gross vehicle weight).
- 1.4 Permits are valid for one year. A total of 740 permits have been issued to date by Waste Management and there are currently about 225 active permits.

- 1.5 There are a number of exemptions from the need for a permit including charities and parish councils delivering household waste and specially adapted vans for persons with disabilities.
- 1.6 The policy was further reviewed in June 2003 when it was decided to continue with the policy.
- 1.7 There is evidence that the current policy saves about £1 million per annum in preventing excess waste entering the Council's recycling centres after taking into account the significant increases in landfill tax since its introduction. Initially the tax was £7 per tonne but from April 2009 it will be £40 per tonne.

2. Recommendations from the Review

- 2.1 These are detailed in Section 6 of the Summary and these recommendations are supported with a number of minor changes only. In terms of policy changes it is recommended to:-
 - (i) Introduce a limited voucher permit scheme (4 vouchers per year) for Twin cab 4x4 pick-ups where the other criteria for issue are met;
 - (ii) Update the policy for classifying trailers to a size limit at no longer than 1.4m - in line with limits used by other councils (instead of using a weight and braked/un-braked criteria because this is being circumvented in some instances by the temporary removal of the brake).

The proposed revised policy is detailed at **Appendix B**.

- 2.2 The Review makes an additional number of recommendations but considers the overarching messages for service adjustment and improvements to be:-
 - (i) The public need to be more engaged to help the County achieve the overarching Government/LAA waste targets.
 - (ii) Public perception of the HWRCs service has to change to affect this.
 - (iii) The County Council needs to better understand customer demand for the HWRC service so that restrictions can be imposed in a way that minimises inconvenience to the public whilst achieving the waste targets demanded.
- 2.3 In terms of awareness and communication the Review considers there is an opportunity to significantly increase awareness of the service and promote a strong environmental message to encourage responsible behaviour and marginalise misuse. The communications should re-position the service alongside other waste/recycling services to users and a wider audience of householders/residents to encourage a customer consensus, along the lines taken by other environmentally driven campaigns.

- 2.4 The Review considers the most effective and efficient method to communicate this message could be through a joint campaign (with other waste/environmental services). This raised awareness should focus on the benefits of the service (i.e. what users are entitled to do first, with restrictions and the reasons for these restrictions, as a secondary message).
- 2.5 In taking forward the proposals in paragraphs 2.3 and 2.4, the Waste Management Service will clearly need to prepare and plan the campaign, probably in conjunction with the district councils. It will need to fit in with other communication activities in 2009 including consultation on a revised waste management strategy. To deliver a step change in public awareness will clearly require resources.

3 Exemptions from the Van Ban Policy

- 3.1 Separately from the Review undertaken by the BCU, Members and the public have suggested a number of exemptions and these are discussed below:-

- (a) **Proposal - Vans and other restricted vehicles delivering only household waste recyclables should be exempt from the policy.**

Comment - The suggestion is often made because the person considers the Council must either make a profit from accepting recyclables or wants to boost its performance. In the case of contract sites the Council does not make any profit from recycling and a cost is involved in all cases. For directly operated sites then, depending on the material, the Council will either receive income or there will be a cost. It is very rare for a person to only deliver recyclables and, overall, for consistency across sites, it is not considered that an exemption should be made for a person only delivering recyclables in a Van or a restricted vehicle.

- (b) **Proposal – Re-use shops should be permitted to accept items in restricted vehicles including large vans.**

Comment – We have re-use shops at Hunters Lane, Rugby, Princes Drive, Leamington Spa and Burton Farm Stratford. The proposal arose from a desire to boost the income of the shops but it is likely that items delivered in restricted vehicles including large vans will be bulky, such as items of furniture. Such items could take up a significant amount of space and so site capacity for their storage is a main consideration. Due to the limited capacity at Hunters Lane it is not proposed to introduce this exemption at the site at this time. With respect to the shop at Princes Drive, this operates independently from the main recycling centre which in effect has its own entrance and exit. The acceptance of vans is therefore left as a matter for the management of the shop. With respect to the shop at Burton Farm, this shares the entrance and exit with the main site. Therefore there is a possibility that a van could leave an item at the shop and then deposit excess waste at the recycling centre. However, it is proposed to accept vans delivering and collecting items to/from the shop for a trial period of 6 months on the basis detailed in **Appendix C**.

- (c) **Waste Electrical and Electronic Equipment Directive (WEEE)**
Following the introduction of the WEEE legislation, where items of WEEE are removed free of charge from our sites by the designated contractor, it was considered appropriate to review arrangements for the acceptance of WEEE. WEEE includes such items as washing machines, fridges and televisions. These are often large items and some will be difficult to fit in a car. It was therefore decided to accept these items delivered in vans free of charge at our transfer stations at Hunters Lane and Princes Drive provided the person delivering the item does not deliver rubbish with the item and provided he can satisfy the site that it is not trade waste.

4. Financial Implications

- 4.1 There are currently 225 active permits. Assuming that permitting double cab pick ups will double this figure, that they are allowed 4 deposits per annum and that they deposit 0.25 tonnes at each visit, then they will deposit 225 tonnes per annum. At a combined haulage and disposal cost of £70 per tonne gives a total on going cost of £15,750 per annum. Clearly this is only an estimate.
- 4.2 In Section 7 of the Review, areas where resources would be needed are detailed. Some of the resources would be required as a one off investment but others would be required on an on going basis. For the latter to make any significant improvement in awareness and administration, then it is considered that at least £20,000 would be required to be spent each year.

PAUL GALLAND
Strategic Director for Environment and Economy
Shire Hall
Warwick

November 2008

A Review of the Restrictions at Household Waste Recycling Centres Regarding the Acceptance of Vans and Pick ups

1 Introduction

- 1.1 Waste Management (within Environment and Economy Directorate) commissioned a review of the Van Ban Policy, in order to resolve any problems related to the current policy and its implementation.
- 1.2 The aim of the review was to ensure that the County Council's policy for non-trade vehicular access to recycling centres is broadly acceptable to the public, whilst also being practical and effective in preventing abuse of the free facilities at recycling centres through delivery of either trade waste or excessive quantities of household waste.
- 1.3 This report summarises the findings of the review and puts forward a number of recommendations for policy/service adjustment. The full report provides more detail and is available on request.

2. Government Targets and Corporate Objectives for Waste Disposal

- 2.1 The EU Landfill Directive (99/31/EC) sets out targets for the County Council for the reduction of biodegradable waste, and the Waste Strategy 2000 set further targets. These targets are listed below and get stricter as the years pass.
- 2.2 Biodegradable Municipal Waste (BMW) includes not only household waste But waste produced by municipal parks and gardens, waste resulting from fly-tipped materials as well as some commercial or industrial waste:-
By 2010 to reduce BMW landfilled to 75% of that produced in 1995.
By 2013 to reduce BMW landfilled to 50% of that produced in 1995.
By 2020 to reduce BMW landfilled to 35% of that produced in 1995.
- 2.3 The County also has an LAA indicator target for residual waste. Residual waste is waste that is collected from households after the recyclable waste has been collected, and this waste is included in the totals for BMW above.
The baseline for this household waste is 840kg and will reduce to:-
746 kg by 2008/09.
702 kg by 2009/10.
671 kg by 2010/11.
- 2.4 The Landfill tax, which is the tax that the County Council has to pay for every tonne of waste taken to landfill, is also increasing. The tax was £7 per tonne in the 1990's, but has now been raised to £32 per tonne (increasing to £48 by 2010) plus the gate fee. Also, the County Council will be fined for every tonne

over its annual allowance of residual waste, and this will be charged at £150 per tonne.

- 2.5 These constraints on the County Council mean that everything possible must be done to discourage residents from disposing of large amounts of waste. The Van Ban Policy was originally introduced for this reason and its removal is not considered a practical option because it would send out the wrong message and make it much harder to control and reduce overall levels of household waste.

3. Statutory Obligations on Waste Disposal Authorities

- 3.1 Under Part V of the the Environmental Protection Act 1990, which covers the collection and disposal of waste, a waste disposal authority has a duty to provide places “at which persons resident in its areas may deposit their household waste....” free of charge. The Act does not entitle residents to deposit commercial or industrial waste at such places free of charge .
- 3.2 Although an authority cannot charge for the disposal of household waste at a recycling centre, the legislation otherwise leaves it with discretion to regulate the manner in which residents use the centres. The discretion needs to be exercised reasonably and consistently with the objectives of the legislation and any restrictions on the rights of residents should be proportionate to the objective pursued.
- 3.3 In addition to allowing the free disposal of household waste, the County Council has chosen to allow residents the facility to dispose of small amounts of building rubble, bricks, tiles and soil (i.e. 3 bags per visit) even though it is not legally obliged to do so.

4. Current Van Ban Policy

- 4.1 The Van Ban Policy was introduced in 1998 to reduce the amount of waste, and also to discourage trade waste, being processed through the Household Waste Recycling Centres (HWRCs). Prior to the introduction of this policy the amount of waste being brought onto the sites had been increasing year on year, against the background of Government targets to reduce the amount of waste being sent to landfill (see 2.2 above).
- 4.2 In support of the Van Ban Policy it was calculated that households within Warwickshire, on average, produced 0.5 tonnes of household waste per person per annum, and that one load brought in by a van could be as much as 0.5 tonnes.
- 4.3 In the first four months after the introduction of the Van Ban Policy waste volumes reduced dramatically (20.9%), and this reduction was estimated to produce savings in the region of £320,000 pa (in 1998).
- 4.4 The present day value of these savings is estimated to be £1,016,610 using the following calculation:-

- (i) In the first 8 months of the year before the van ban was introduced disposal of waste had increased by 4.5%, after the van ban was introduced the waste disposed reduced by 20.9%, which equated to a reduction of 2,934 tonnes.
 - (ii) Calculating this weight saving over a year, this equalled a saving of 14,523 tonnes p.a. (which included the savings of the increase that would have been disposed in the last 4 months of that year).
 - (iii) The current cost of disposing of 14,523 tonnes is calculated as £871,380, plus the savings in the haulage cost, which adds a further £145,230, achieving a total reduction of £1,016,610.
- 4.6 Members have confirmed their support for the Van Ban Policy in 1998, 1999 and 2003. The Ombudsman has considered the policy and concluded that it is a policy which the County Council is entitled to adopt. However, the Ombudsman recommended that the County Council clarify the circumstances where it could make an exception to the rule and review the classification of banned vehicles.
- 4.7 Complainants have criticised the policy because it does not tackle the problem of trade or excessive waste directly. As a result, residents can find themselves prevented from using a centre for free disposal if they attempt to deliver a small quantity of household waste in a banned vehicle. They argue that the County Council should concern itself with the type and amount of waste brought by a resident rather than the type and size of vehicle in which it comes.
- 4.8 The policy has proven itself effective in reducing waste and abuse and many other authorities use restrictions on vehicle types. It has the merit of being objective and relatively simple. It is not considered to be practicable or affordable to inspect and investigate the source of waste on arrival at sites and doing so could lead to confrontations and complaints of inconsistency and unfairness. The van ban can make it difficult for some households to deliver legitimate types and amounts of waste but any harshness is mitigated by alternative options and the system of exemptions. Therefore, the policy is considered to be proportionate to its objectives and this review has focused on the detail rather than the principle of the policy.
- 4.9 With respect to the circumstances in which exceptions might be made to the policy, foreseeable cases are addressed through the system of exemptions. Cases not catered for by the exemptions which justify an exception are expected to be rare and will be unforeseeable. Therefore, it is proposed that exceptions be left to the discretion of the Strategic Director.

5. Customer Complaints

- 5.1 The total number of complaints relating to the Van Ban Policy (handled between 2005 and 2008) has been analysed and the following points have been identified:-
- (i) The overall number of complaints has risen from 33 in 2005/06 to 76 in 2007/08 (the reason for this is unclear but it is possible that changes to the complaints handling process may have contributed by making it easier for residents to lodge complaints).

- (ii) Van Ban complaints in 2007/08 equated to 76 (60%) of the total 125 complaints received in Waste Management.
- (iii) 8 of the 33 (24%) Van Ban complaints in 2005/06 came from twin cab pick-ups. This compares with 26 (complaints from Twin cabs) of the 76 (34%) Van Ban complaints in 07/08.

5.2 In 2007/08,

- (i) Four complaints relating to the Van Ban Policy went to stage 2,
- (ii) Two of these complaints went on to stage 3,
- (iii) One of these complaints was taken to the Ombudsman.

5.3 So far, in 2008/09,

- (i) Two complaints have been taken to Stage 2, and
- (ii) None of these have yet been taken to stage 3.

6. Recommendations

6.1 The recommendations arising from the review have been summarised below but the overarching messages for service adjustment and improvement are as follows:-

- (i) The public need to be more engaged to help the County achieve the overarching Government/LAA waste targets.
- (ii) Public perception of the HWRCs service has to change to affect this.
- (iii) The County Council needs to better understand customer demand for the HWRC service so that restrictions can be imposed in a way that minimises inconvenience to the public whilst achieving the waste targets demanded.
- (iv) In the meantime, there are some process improvements that the County Council should consider to bring the Van Ban Policy up to date and help to remove some of the causes of complaints.

6.2 **Customer information:** The service has been quick to recognise the need to achieve Government targets and reduce amounts of household waste. This has led to performance measures for the service that focus on waste volumes and financial targets.

6.3 The review has revealed that in order to balance this approach, with improving the service for customers, it is necessary to acquire more information about the customers who use the HWRCs, (i.e. the volumes/types of vehicles that frequent the sites and their reason for visiting). This would increase understanding about the types of demand for the service and enable any changes that are proposed to be fully costed in a way that is currently not possible.

6.4 **Service delivery processes:** The service could make a number of improvements by:-

- (i) **Improving the permit process:** Recording and monitoring enquiries about the Van Ban Policy; updating the vehicle lists on a regular basis to include all new vehicle types; revising the permit application, issue and renewal processes, including access on-line and via One Stop Shops; creating a database of live permits, analysing permit usage returns and following up incidences of misuse to provide better control mechanisms.
 - (ii) **Achieving greater consistency between the HWRC sites:** Where there are currently significant differences in the services delivered to customers including the need to standardise signage, on-site information and functionality (e.g. similar height restrictions barriers).
 - (iii) **Monitoring service standards:** Explaining any policy changes to all staff and measuring awareness and satisfaction of the service to review how the Van Ban Policy is working in practice on an on-going basis.
- 6.5 **Awareness and Communication:** There is an opportunity to significantly increase awareness of the service and promote a strong environmental message to encourage responsible behaviour and marginalise misuse. The communications should re-position the service alongside other waste/recycling services to users and a wider audience of householders/residents to encourage a customer consensus, along the lines taken by other environmentally driven campaigns.
- 6.6 The most effective and efficient method to communicate this message could be through a joint campaign (with other waste/environmental services). This raised awareness should focus on the benefits of the service (i.e. what users are entitled to do first, with restrictions and the reasons for these restrictions, as a secondary message).
- 6.7 **Policy changes:** In the meantime there is an immediate need to update the current 10-year-old policy because it does not reflect vehicle changes, particularly the new breed of twin cab 4 x 4 vehicles which are now increasingly being used as private domestic vehicles. Many twin cab 4 x 4 vehicles exceed the 2.2 tonne limit and so are not eligible for a permit even if they are the only vehicle available to a household; it used to be the case that such vehicles were only driven by tradespeople but they are now frequently found as domestic "lifestyle" vehicles. The proposal is to:-
- (i) Bring the vehicle classification list up to date;
 - (ii) Pilot a limited voucher permit scheme (say 2 – 4 vouchers per year) for twin cab 4 x 4 pick-ups where the other criteria for an exemption are met;
 - (iii) Update the policy for classifying trailers to a size limit at no longer than 1.4m - in line with limits used by other councils (instead of using a weight and braked/un-braked criteria because this is being overcome in some instances by the temporary removal of the brake).
- 6.8 In the absence of data to suggest the numbers of vehicles that fall into these categories it is suggested that some initial observation/vehicle counts are

undertaken at the HWRCs to estimate the implications of these adjustments before they are introduced.

7. Resource Implications

- 7.1 These adjustments to the policy aim to reduce dissatisfaction and apply the policy in a fair and proportionate way which reflects modern lifestyles whilst continuing to achieve its objectives..

7.2 Inevitably there will be a resource saving in time spent by legal/complaints handling staff but there will also be a resource requirement within the central service delivery team to progress with any / all of these requirements, as indicated below:-

Customer information	Budget to progress customer surveys/observations etc to baseline customer user information and carry out future monitoring.
Service delivery processes	A central resource to re-engineer the processes and administer on an on-going basis.
Awareness and communication	Budget for communications although a joint campaign could spread the cost.
Policy changes	To be confirmed when vehicle user data has been collected so that the implications of the permits can be estimated. The voucher scheme set up could be incorporated as a further responsibility of the central resource (see service delivery processes above).

Vehicle Restrictions At Warwickshire's Household Waste Recycling Centres And Transfer Stations -Proposed Revised Policy

Policies concerning the acceptance of household waste in vans, pick-ups etc., and trade waste

1. General Policy

- 1.1 Subject to the exemptions detailed below, household waste will only be accepted if delivered in a car, estate car or a trailer under 1.4m in length. Household waste will not be accepted in a van, pick-up or a trailer over 1.4m in length.

2. Exemptions for Households who only own a Van or Pick-up

- 2.1 For this exemption small vans and pick ups are considered to be those of a similar size to an Astra van (i.e. a car derived van or a pick-up based vehicle under 2.2 tonnes).
- 2.2 Where a household's only vehicle is a small van or pick up (this could be owned, leased or a works van personally allocated to a member of the household which the person can use outside work) then they can apply to Shire Hall for a permit to use the vehicle to deliver their own household waste.
- 2.3 Where there is a disabled person in the household and the only vehicle is a small or large van or pick up modified because of the needs of the disabled person, then application for exemption should be made as above.
- 2.4 Where a household's only vehicle is a double cab pick up over 2.2 tonnes which is fitted with side windows and two rows of seats (upright position) an application for exemption should be made as above. The householder will be issued with four vouchers per annum instead of an open permit. A permit or voucher will not be issued for pick-ups over 3.5 tonnes.
- 2.5 (Contact the Waste Management Group of Warwickshire Council for an application form 01926 412593).

Permits will be not be given for large vans or pick ups except as stated in paragraphs 2.3 and 2.4 and no permits will be given for hired or borrowed vans or pick ups.

3. Parish Councils and Charities

- 3.1 Exemptions from the general policy will be given to Parish and Town Council vehicles and registered charities on application and subject to conditions.

(Contact the Waste Management Group of Warwickshire County Council for an application form 01926 412593).

4. Specialist Vehicles

- 4.1 Pick up based vehicles (whether single or double cabbed), where the manufacturer or other converter has covered the rear part of the vehicle with a loose or hard cover (translucence or opaque) shall be treated as a pick up if the free space below the cover is retained.
- 4.2 Range Rovers and similar 4 x 4 vehicles will be treated as a car provided they have windows in the sides of the rear compartment and have rear seats (in an upright position). If they do not have windows in the sides of the rear compartment or rear seats, then they will be treated as a small van, provided the manufacturer's gross legal weight does not exceed 2.2 tonnes.
- 4.3 Other specialist (large) vehicles such as caravanettes, people carriers and minibuses will be treated as a car provided the rear seats have not been completely removed. If the seats have been removed they will be treated as a large van.

5. Trade Waste

- 5.1 Trade waste (waste from a business) is only accepted at Princes Drive HWRC, Leamington Spa and Hunters Lane Household Waste Recycling Centre, Rugby for which a charge for disposal will be made. There is no restriction on the type of vehicle that can be used to deliver trade waste.

6. Waste Electrical and Electronic Equipment Directive

- 6.1 Electrical and electronic equipment which is removed free of charge by a designated contractor under arrangements pursuant to the WEEE Directive (examples are washing machines, televisions and fridges) may be delivered in a van to Hunters Lane and Princes Drive provided that they are not accompanied by other waste and the person delivering the items can satisfy the operator of the centre that the items are not trade waste.

The Procedure for the Acceptance of Vans wishing to deliver/collect items to/from the Shakespeare Shop at Burton Farm, Stratford

- 1 It will initially be a trial for 6 months.
- 2 The site shop will accept agreed items in vans/pick ups on a Tuesday afternoon only by prior arrangement.
- 3 No general rubbish will be accepted in vans/pick ups.
- 4 The Hospice will advertise in their shops the type of large items that they will accept.
- 5 The shop will control the gate on the Tuesday afternoon to let in agreed vehicles over the 6 feet 6 inch limit. It is considered that nothing larger than a transit van should be accepted.
- 6 If an item delivered is not as stated, and is of no value, then it will be rejected by the shop and will not be accepted at the Recycling Centre.