



Sustainable Communities Overview and Scrutiny Committee

Date:	Wednesday, 26 September 2012
Time:	6.00 pm
Venue:	Committee Room 1 - Wallasey Town Hall

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AGENDA

1. MEMBERS CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members are asked to consider whether they have any disclosable pecuniary or non pecuniary interests in connection with any item(s) on this agenda and, if so, to declare them and state the nature of the interest.

Members are reminded that they should also declare, pursuant to paragraph 18 of the Overview and Scrutiny Procedure Rules, whether they are subject to a party whip in connection with any item(s) to be considered and, if so, to declare it and state the nature of the whipping arrangement.

2. MINUTES (Pages 1 - 8)

To receive the minutes of the meeting held on 26 June, 2012.

3. HIGHWAYS AND TRAFFIC REPRESENTATION PANEL MINUTES

The minutes of the Highways and Traffic Representation on 13 September, 2012 will be circulated separately.

4. NOTICE OF MOTION 'INCREASING RECYCLING' UPDATE (Pages 9 - 40)

5. LIBRARY STRATEGY - OPENING HOURS

Report to follow.

6. TRADING STANDARDS EMPOWERMENT PARTNERSHIP (Pages 41 - 70)

7. DECISIONS TAKEN UNDER DELEGATED POWERS (Pages 71 - 74)

8. BUDGET CONSULTATION - SCRUTINY WORKSHOPS

The Chair and / or Director will speak to this item.

9. PROPOSED MEMBER TASK AND FINISH WORKING GROUP (Pages 75 - 78)

10. REVIEW OF SCRUTINY WORK PROGRAMME (Pages 79 - 82)

11. FORWARD PLAN

The Forward Plan for the period October, 2012 to January, 2013 has now been published on the Council's intranet/website and Members are invited to review the Plan prior to the meeting in order for the Sustainable Communities Overview and Scrutiny Committee to consider, having regard to the work programme, whether scrutiny should take place of any items contained within the Plan and, if so, how it could be done within relevant timescales and resources.

12. ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR (PART 1)

13. EXEMPT INFORMATION - EXCLUSION OF MEMBERS OF THE PUBLIC

The public may be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information.

RECOMMENDED – That in accordance with section 100A (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by the relevant paragraphs of Part 1 of Schedule 12A (as amended) to that Act. The public interest test has been applied and favours exclusion.

14. ANY OTHER URGENT BUSINESS APPROVED BY THE CHAIR (PART 2)

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

Tuesday, 26 June 2012

<u>Present:</u>	Councillor	D Elderton (Chair)	
	Councillors	J Crabtree L Fraser D Mitchell C Muspratt	T Norbury J Stapleton M Sullivan S Williams
<u>Deputies:</u>	Councillors	J Williamson (In place of KJ Williams)	
<u>Cabinet Members:</u>	Councillors	B Kenny C Meaden	H Smith

1 MEMBERS CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members were asked to consider whether they had personal or prejudicial interests in connection with any item(s) on this agenda and, if so, to declare them and state what they were.

Members were reminded that they should also declare, pursuant to paragraph 18 of the Overview and Scrutiny Procedure Rules, whether they were subject to a party whip in connection with any item(s) to be considered and, if so, to declare it and state the nature of the whipping arrangement.

No such declarations were made.

2 MINUTES

The Chair commented in respect of minute 79 'Libraries Strategy', and the need for a further report in the light of consultation outcomes in relation to opening hours.

Resolved – That the minutes of the meeting held on 28 March, 2012 be approved.

3 APPOINTMENT OF VICE-CHAIR

The Committee was asked to consider if it wanted to appoint a Vice-Chair.

On a motion by the Chair, seconded by Councillor Fraser, it was –

Resolved - That Councillor Steve Williams be appointed Vice-Chair of this Committee.

4 **TERMS OF REFERENCE**

The Committee's terms of reference were submitted for Members' information.

The Chair commented that with the Committee's remit covering a number of portfolios it would not be feasible to have reports on every issue but rather to look at those issues as matters arose and those which were prioritised in the work programme (see minute 12 ante).

Resolved – That the terms of reference be noted.

5 **HIGHWAY AND ENGINEERING SERVICES CONTRACT - THIRD ANNUAL REVIEW**

The Director of Technical Services provided an update report on the Highway and Engineering Services contract at the end of its third year of operation; including information on performance against the benefits sought and targets set. It also invited the Committee to consider the option written into the contract to extend the contract by twelve months based on the satisfactory performance of the contract.

It was noted that the maintenance of all aspects of the highway infrastructure, carried out through the contract were statutory duties imposed on the Council as Highway Authority.

Part of the report related to financial aspects of the contract, which were exempt from public disclosure in accordance with paragraph 3 of Part 1 of schedule 12A of the Local Government Act 1972, and this information was separately contained in Appendix 5 to the report (minute 14 refers).

The Chair informed the Committee that Stephen Grimes, Contracts Manager at Colas, who was due to attend the meeting, was not present as Colas had received advice from their legal representatives not to attend.

The Director introduced Rob Clifford, Highways Manager, and Brian Smith, Contracts Manager in the Technical Services Department and they presented the report and responded to Members' questions. Examples of perceived poor quality work were highlighted by Members, using examples from their own wards. Rob Clifford acknowledged that with a change to modern materials for surface treatment there was a need to make sure residents understood what they were trying to achieve and he hoped that Colas would be able to be present at the next meeting when a report would be submitted with information on the types of materials used.

The Chair emphasised the point that the perception was that Colas were not dealing with complaints and that Members would like to see a much more robust approach to addressing issues raised.

A report to Members on significant cost changes and value for money had been drafted in November 2011, but would be presented to Members to coincide with the Council's external auditors' report on the contract. An assurance was given that this report would be going to Cabinet on 19 July, 2012.

The Director explained the budget both in terms of the capital programme which was subject to the Council Budget set each year and the fixed 5 year contract which had an approximate value of £7m.

On a motion by the Chair seconded by Councillor Steve Williams, it was -

Resolved –

- (1) That this Committee notes the progress of the contract during the past year, and notes officers' views in the report but registers its serious concerns regarding co-ordination, quality and communication issues.**
- (2) That it be recommended to Cabinet that the existing contract not be extended beyond its current 5 year term, and that the Director of Technical Services be requested to prepare an options appraisal for the delivery of highway and engineering services from 1 April 2014 in a report to Cabinet at the earliest opportunity.**
- (3) That the Director of Technical Services report on progress on preparation and delivery of a comprehensive exit and handover strategy relating to the satisfactory completion of the current contract, and effective and efficient transition to the new service delivery arrangements, in his future annual reports on the contract.**
- (4) That this Committee notes that officers will be undertaking actions, to be agreed by Council, in response to the External Auditors' Report in the Public Interest; specifically in relation to the management of the contract; and asks that the Director of Technical Services reports on progress in delivering those specific actions relating to the management of this contract in his annual report to the Committee in 2013.**

6 QUARTER 4 YEAR END 2011/12 PERFORMANCE MONITORING REPORT

The Director of Technical Services and the Director of Law, HR and Asset Management reported upon the performance of the Council's Corporate Plan 2011-2014 for the year end 2011/12, in relation to sustainable communities. The report provided the Committee with an overview of performance, resource and risk monitoring, together with details of corrective action for performance issues.

The Chair indicated in respect of the performance indicator on repeat incidents of domestic violence that he had received some additional explanatory information on this and the Director would circulate this to the Committee.

Responding to comments from Members the Director informed the Committee of the importance of road safety to the Council and that there were a number of interventions that the Council took although sometimes accidents could be out of the Council's control. A report to the September meeting would examine the issue in detail including an increase in the number of accidents involving two wheeled vehicles. In respect of the modernisation of the parks service this would be an ongoing project over a number of years which would have some significant opportunities and the engagement with user groups during the consultation process

would feed directly into this work. A report on parks modernisation was scheduled on the work programme for the November meeting.

It was also suggested that a report on asset reviews particularly in respect of small areas of land for allotments could be added to the work programme.

In respect of response times, there was an increase in the average response rate for complaints with 15 working days taken to respond to all complaints in 2011/12 compared to 14 working days in 2010/11. The Director acknowledged that this covered a number of departments and that in the Technical Services Department response times were 5/6 days.

Resolved –

(1) That the report be noted.

(2) That Committee expresses its concerns at the response times for complaints and asks officers to investigate whether they can be improved and report back to this Committee.

7 REDUCING THE COUNCIL'S CARBON FOOTPRINT - PROGRESS REPORT NO. 5

The Director of Law, HR and Asset Management presented an update report on the various carbon reduction and energy saving projects currently being undertaken across the Council to 'Reduce the Council's Carbon Footprint', which promoted the Council's Corporate Priorities as set out in the Corporate Plan. The Council was committed to delivering a 60% reduction in carbon emissions by 2025 and he indicated that with an expected spend of around £8m on energy costs in 2012/2013, there were significant financial savings to be made through carbon emission reduction and energy efficiency projects and initiatives.

Hazel Edwards, Climate Change Officer, introduced the report and gave an update on some of the projects, including the installation of Solar Photovoltaic cells on some 27 Council buildings, tenders for which were due back on 16 July, 2012 with a report to the September Cabinet. A report would also be going to Cabinet in July on the energy / carbon management system.

Resolved – That this Committee notes the performance and progress of the various Council 'Carbon Footprint Reduction' and energy efficiency projects undertaken to date across Council Departments and endorses the further initiatives proposed in the report.

8 EQUALITY IMPACT ASSESSMENTS - REFERRAL FROM SCRUTINY PROGRAMME BOARD

The Committee considered the report of the Director of Law, HR and Asset Management on Equality and Impact Assessments, which had been referred by the Scrutiny Programme Board at its meeting on 28 February, 2012 (minute 33 refers) to all five themed Overview and Scrutiny Committees.

The Director of Technical Services informed the Committee that the requirement to carry out equality impact assessments was one of the absolute fundamentals and that training would be given for officers and Members.

Resolved – That the report be noted.

9 DECISIONS TAKEN UNDER DELEGATED POWERS - DIRECTOR OF TECHNICAL SERVICES

The Director of Technical Services reported, in accordance with the Approved Scheme of Delegation, of two instances where he had used his delegated authority in respect of the appointment of contractors. The first was to employ Bill Kenwright Productions to stage 'Murder on the Nile' at the Floral Pavilion, New Brighton and the second was a tender for the renovation and drainage of football pitches at Arrowe Park to ensure that they were playable during the winter season.

The Bill Kenwright production of 'Murder on the Nile' provided a net income of £13,015. The cost of the football pitch renovation and drainage work was paid for by funds allocated in the capital programme.

Resolved – That the report be noted.

10 DECISIONS TAKEN UNDER DELEGATED POWERS - DIRECTOR OF LAW, HR AND ASSET MANAGEMENT

The Director of Law, HR and Asset Management reported, in accordance with the Approved Scheme of Delegation, of those instances where delegated authority had been used with respect to the appointment of Contractors pursuant to Contract Procedure Rule 14.1. Since the last meeting of the Committee, tenders had been accepted for works to –

- Hoylake Community Centre and Sanderling Unit
Car Park / Drainage
- Europa Pools
Replacement of Air Handling Units

Resolved – That the report be noted.

11 APPOINTMENT OF THE HIGHWAYS REPRESENTATION PANEL

The Committee was requested to undertake a review of the Highways Representation Panel and to appoint members to serve on that panel if it was to be retained in 2012-2013.

Resolved – That the Committee:

- (1) confirms that the Highways Representation Panel be re-appointed for 2012-2013 with the terms of reference identified.**

(2) appoints the following members to serve on the Highways Representation Panel in 2012-2013, including the appointment of the Chair and named deputies:

Councillor D Elderton (Chair)

Deputies: Councillors Steve Williams, Leah Fraser, John Hale, Eddie Boulton, Peter Johnson, Paul Hayes, Cherry Povall and Simon Mountney

Councillor Jerry Williams

Deputies: Councillors Jim Crabtree, Christina Muspratt, Tony Norbury, Jean Stapleton, Mike Sullivan, Ron Abbey, Darren Dodd and Pat Glasman

Councillor Dave Mitchell

Deputies: Councillors Alan Brighthouse, Phil Gilchrist, Tom Harney, Mark Johnston, Stuart Kelly and Pat Williams

12 REVIEW OF SCRUTINY WORK PROGRAMME

The Committee was requested to consider what issues should form the basis of its work programme for the ensuing municipal year and the Committee considered a list of items which had been circulated by the Director.

The Chair suggested that Committee members could email Mark Smith, Deputy Director of Technical Services within the next two weeks with any suggestions for the Committee to consider during the coming year.

Additionally Members made the following suggestions to be added to the Work Programme:

- Coastal Management issues
- Dog fouling / dog waste bins / dog free areas
- Doorstep crime including cold callers / telephone calls

Resolved - That the paper listing the reports from Chief Officers on key issues during the year, with the above additions, form the basis of the Committee's work programme for the current municipal year together with any additional suggestions which might be emailed from Committee Members to the Deputy Director.

13 FORWARD PLAN

The Committee had been invited to review the Forward Plan prior to the meeting in order for it to consider, having regard to the Committee's work programme, whether scrutiny should take place of any items contained within the Plan and, if so, how it could be done within relevant timescales and resources.

Resolved – That the forward plan be noted.

14 **EXEMPT APPENDIX - HIGHWAY AND ENGINEERING SERVICES CONTRACT -
THIRD ANNUAL REVIEW**

Further to minute 5 ante, the Committee noted the exempt appendix to the Director of Technical Services' report without debate.

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WIRRAL COUNCIL

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

26 SEPTEMBER 2012

SUBJECT:	NOTICE OF MOTION “INCREASING RECYCLING” UPDATE
WARD/S AFFECTED:	ALL
REPORT OF:	INTERIM DIRECTOR OF TECHNICAL SERVICES
RESPONSIBLE PORTFOLIO HOLDER:	CLLR BRIAN KENNY, ENVIRONMENT
KEY DECISION	NO

1.0 EXECUTIVE SUMMARY

1.1 This report provides the first update to the Committee since the Increasing Recycling Motion was raised at Council on the 12th December 2011 (minute 90 refers). A previous Motion termed Bin Charging (minute 22 refers) very much related to this was raised at Council on 12th July 2010 with an update presented at this Committee on the 10th March 2011 (minute 128 refers). For the purposes of this report, the update provided will adequately cover the two related motions.

2.0 BACKGROUND AND KEY ISSUES

2.1 Legislative Context

Increasing the amount of household waste recycled is necessary for every country in Europe. The European Waste Framework Directive (WFD) commits Member States to contribute to achieving a European 50% recycling and composting rate by the year 2020.

The UK Government has committed local authorities of England and Wales to a statutory 50% recycling and composting target by 2020. In 2010, the UK Government passed the Localism Bill, enabling the Government to pass onto individual Councils any fines that may be incurred from Europe as a result of the UK potentially not meeting the target. It is important that Merseyside Waste Partnership (MWP) therefore meets a minimum of 50% recycling by 2020 to avoid any potential challenge and resulting fine should the UK Government not meet its 50% recycling rate.

2.2 Risks and Benefits of Partnership Working

2.2.1 Pooled Recycling Target

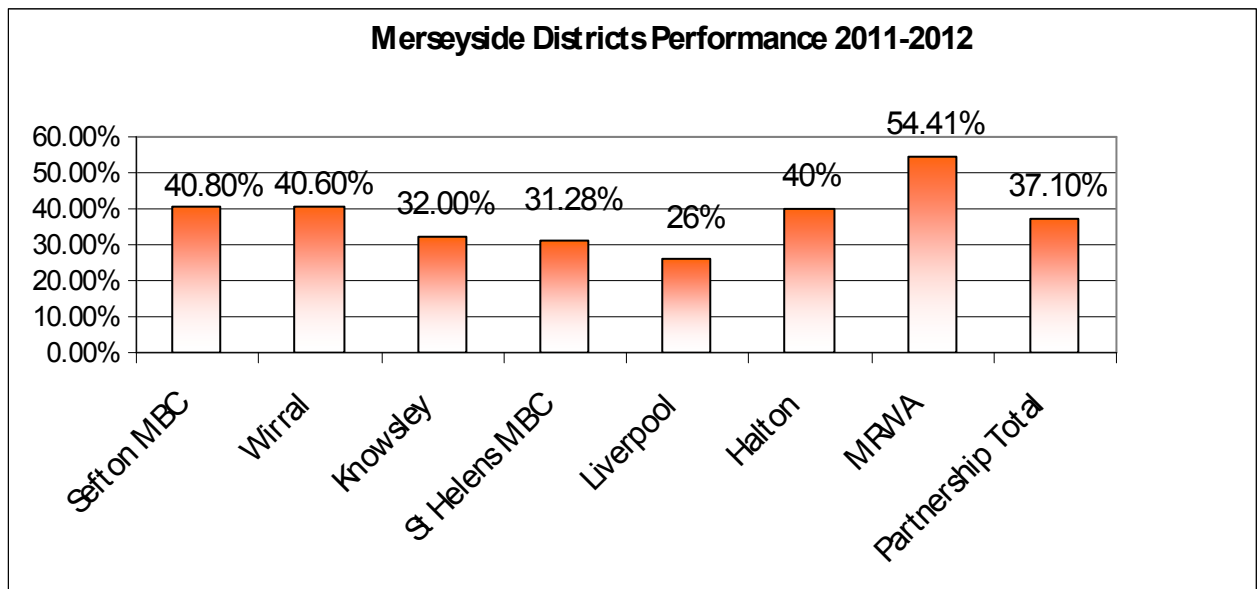
Merseyside districts, Halton Council and the Merseyside Recycling and Waste Authority are committed to meeting a pooled 50% recycling and composting target by 2020. The options for achieving this target are set out in the Merseyside Joint Recycling and

Waste Management Strategy, which Wirral Council approved on the 13th February 2012. The pooled target enables the 6 Local Authorities to benefit from the "recycling performance" achieved at the 14 Household Waste Recycling Centres (HWRC's) including 3 on the Wirral at Bidston, Clatterbridge and West Kirby. The recycling rate at all of these sites for 2011/12 was 54.41%.

Table 1 illustrates the performance of individual districts and the MRWA resulting in a combined Merseyside pooled recycling performance of 37.1% for 2011/12. Members will note that Wirral, Sefton and Halton districts recycled at least 40% of household waste (data obtained from MHWP Annual Report 2011-12, Appendix 2). These three districts now collect residual waste every two weeks.

If all districts were performing at similar high levels, the partnership would be achieving around 42% performance as opposed to the current 37.1%. With a target of 50% recycling by 2020, substantial progress is needed by all districts, especially Liverpool, given the size of its conurbation and large proportion of waste it produces.

Table 1 Merseyside recycling and composting performance



It is also important to note that large urban populations will always struggle to recycle as much as other local authorities due to their demographic make up and difference in waste composition (for example less garden waste). The waste tonnage profile of each district is captured in 'district council action plans' that support the joint strategy and takes into account that important challenge. It means that some districts may be required to exceed a 50% recycling target to ensure the pooled target is achieved.

Notwithstanding this, Wirral officers believe that underachievement by individual districts should be rigorously scrutinised in order to hold low performing districts to account and drive performance across the partnership. There is currently no formal mechanism for this important scrutiny to take place, however officers believe that such scrutiny could be conducted through the MRWA Board (as exemplified in the Greater Manchester model). As all Councils strive to manage challenging budget reductions, it is likely to mean that investment in waste infrastructure by individual districts may be delayed, putting the Partnership at higher risk of failing to meet the pooled recycling target.

It is therefore more important than ever to ensure that the potential of districts to increase recycling performance is not stifled by a 'silo mentality' which inhibits effective targeting of district or partnership investment to areas that would yield the greatest uplift in recycling performance.

'Minimise waste by encouraging waste reduction and recycling' is a corporate priority for Wirral Council and as such a detailed annual delivery plan is available on the document database on the Council's intranet pages. This plan directly relates to the motion 'Increasing Recycling'. Regular status reports are provided to the Environment Portfolio holder and progress is reported to members of this Committee annually in January.

2.2.2 Waste Levy Mechanism (Response to item 64:6 'Increasing Recycling' Notice of Motion)

In aforementioned reports to this Committee, officers have highlighted that the current waste levy mechanism is outdated and does not seek to incentivise districts to recycle more, as districts do not benefit proportionally (financially) from any investment they make in improving recycling infrastructure. It is therefore recognised that the MWP would need to either change the current mechanism or develop a subsidiary mechanism to ensure that districts can demonstrate a business case that relates directly to any investment they propose. This mechanism should seek to ensure that the investment of each district is fair and in proportion to the levels of performance they are required to meet to achieve the pooled target and the size of their population.

Several meetings involving all MWP members have taken place and the levy review is discussed at monthly Senior Officer meetings. Finance and Waste Officers from Wirral have also had briefings with the MRWA treasurer so that the current waste levy distribution is fully understood. Two major barriers exist that could prevent any changes to the current waste levy mechanism from being changed. Firstly, all districts must agree to changes and it is likely that any changes would result in some districts having to pay more than they do now, with other districts gaining. Secondly, any significant changes to the waste levy will affect the Council Tax base, meaning that levy reductions would also result in a proportionate reduction in the revenue support grant received by the Government.

The MRWA treasurer has to increase the waste levy by 2% in 2013/14 to cover costs such as rising Landfill Tax. This is despite an overall reduction in tonnage being sent to landfill.

Unfortunately, this means that Wirral Waste Officers are unable to apply internally for the "Efficiency fund" or "Invest to Save fund" as any financial benefits from reductions in waste being sent to landfill cannot be "drawn down" and therefore bids for improving our recycling infrastructure do not meet the funding criteria, even though tonnage diversion from landfill can be proven.

Therefore planned projects, such as the introduction of kerbside recycling of batteries and small household electrical items will have to be put on hold. Such projects would "pay back" investment within four years, should the direct financial benefit of diverting waste from landfill (and subsequently from the Refuse Recovery Facility) be included in the business case.

Equally, funding for waste prevention projects is also problematic, not only because of this issue, but also because it is difficult to prove that waste minimisation is a direct result of a project unless high costs were incurred to monitor changes in waste composition.

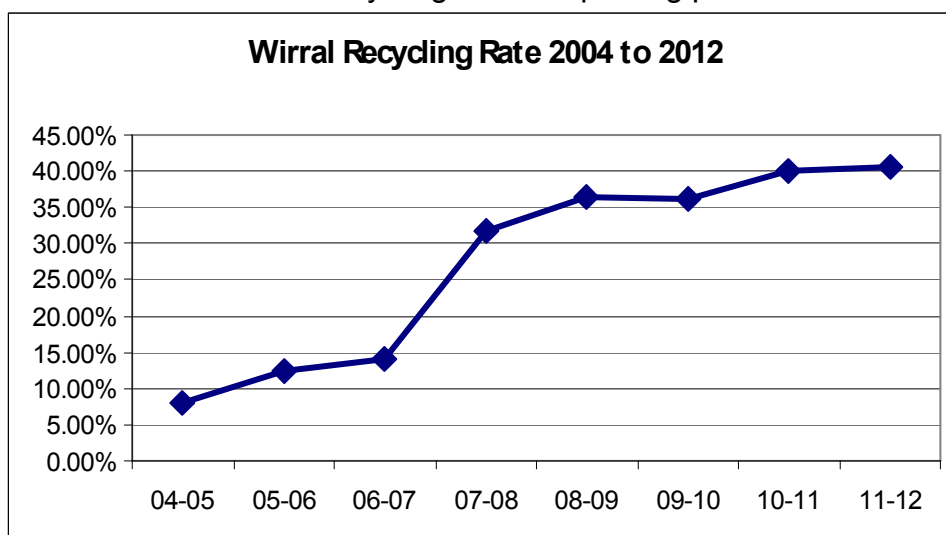
Officers believe that it could be possible to set up a similar "invest to save" process via the MRWA where funds from a sinking fund could be drawn down if there are direct benefits such as waste diversion and increasing the pooled recycling target. Such a process would need approval by all district treasurers and the MRWA board. Officers in Technical Services believe that without such a mechanism, individual district progress towards the 2020 50% recycling target will be significantly impaired.

2.3 Performance to date

2.3.1 Increasing recycling

Table 2 indicates the rapid increase in recycling that the Council experienced after the introduction of the new recycling system in 2005/6. Due to a number of subsequent changes in operations since 2007/8 there have been significant stepped increases in recycling, ultimately reaching a plateau in 2010/11 of 40%.

Table 2 Wirral Council recycling and composting performance



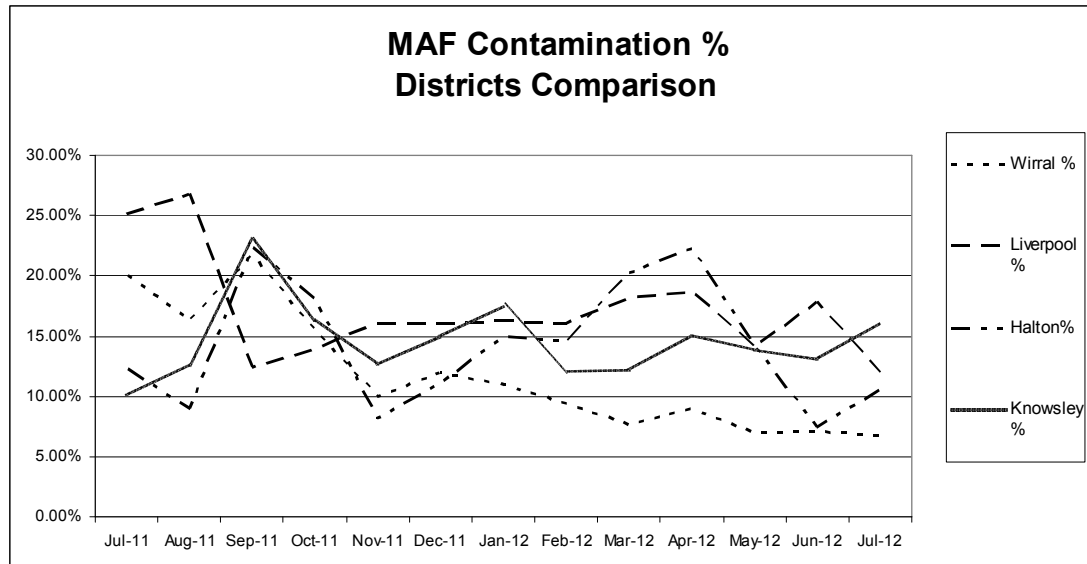
The Council recycled 40.6% of household waste in 2011/12 and expects a similar figure in 2012/13.

2.3.2 Reducing Contamination

One of the most cost effective ways of "increasing recycling" is to reduce the amount of "contamination" in the grey bins and encourage people to maximise the use of this service. The MRWA regularly sample the waste delivered to the Materials Recovery Facilities at Bidston and Gilmoor. Table 3 details the excellent progress made by Wirral Council in the last 12 months, reducing contamination from 20% to around 7% and as such Wirral are now "performing" to the contractual requirements held between the MRWA and MRF operator, Veolia. It is important to note that these significant improvements can be directly related to the tireless work of five Assistant Recycling

Project Officers recruited recently, whose main role is to visit and educate households that are putting incorrect items in their recycling bin. Members will note that the other three districts that use the MRF currently have higher contamination rates and this remains a challenge for those authorities to overcome for the benefit of the partnership.

Table 3 Percentage of contamination in the kerbside dry recycling waste



3.0 IMPROVING RECYCLING PERFORMANCE (RESPONSE TO 64:4 'INCREASE RECYCLING' NOTICE OF MOTION)

3.1 Improving performance: increasing the range of materials collected through the grey bin scheme

3.1.1 In 2011, MRWA and Veolia were charged by the MWP's Operations sub-group with looking at the business case to recycle rigid plastic containers through the MRF. The sub group receive verbal updates over progress on this matter but Wirral Officers feel that the full findings of this project should be reported back to districts so a partnership decision can be made as to whether the recycling of this waste stream is deemed beneficial both in terms of environmental benefits and public satisfaction.

3.1.2 The Operations Sub-Group has recently been informed that a Tetrapak recycling trial has been undertaken at both Gilmoos and Bidston MRF's. While Tetrapak is not currently recycled at the MRF, such a trial enables that partnership to test the viability of recycling this material. Similarly to the above, it is felt that there needs to be a formal update regarding this important trial.

3.1.3 A textile recycling trial on behalf of the MWP is due to commence in Knowsley at the beginning of October 2012. Textiles are collected using survival bags that can be placed inside the recycling bin. The six month trial will be reported back to the partnership through the Operations Group. If successful, all Councils operating a comingled recycling service could easily replicate this at very low cost. Around 5% of Wirral's green bin waste is textiles.

3.1.4 The recycling of litter bin waste has been reported to Members over the past two years. The Council have the opportunity to increase the number of on street recycling bins

throughout the Borough due to technical changes at the MRFs. Officers are attempting to develop an approach to deliver this on a trial basis in a bagged format. Street cleansing waste accounts for up to 5000 tonnes per annum and is made up of waste swept by hand from the streets as well as waste collected through litter bins and waste collected from cleaning entries. The annual budget for litter bin installation is £42,700, which is only enough to maintain and service the current stock of bins. Should this trial be successful, then the Council should seek to only install dual bins in the future.

3.2 Medium to longer term strategy (Response to Increasing Recycling Notice of Motion 64:3 and 64:4)

During the next four years there will be a number of strategic and operational issues, highlighted below that will impact on Wirral's recycling rate.

3.2.1 Impact of Resource Recovery Contract (RRC)

The RRC contract will result in Wirral's residual green bin waste being sent to an Energy from Waste (EfW) recovery facility. The MRWA are currently in the final stages of a tender exercise for the contract which is due to commence in 2015. Once the tender process is complete, Wirral officers will be able to assess the financial and environmental costs and benefits for recycling kitchen waste and other major waste streams such as nappies. This process will generate incinerator bottom ash and also metals, left over from the burning process. This material will ultimately be recycled and contribute to a pooled recycling rate. Wirral officers will be in a better position to produce a medium term delivery plan for achieving the 2020 target in the most effective and cost effective way.

3.2.2 Options report exploring the costs and benefits of removing the free garden waste collection service.

Officers are preparing a report scheduled for October's Cabinet meeting, highlighting risks and benefits of introducing a charge for the collection of this non statutory, currently free collection service. The report will model Wirral's data based on the experiences from other similar local authorities. This will enable Members to understand how such a scheme may impact on Wirral's recycling rate, it is anticipated that although Wirral will see a initial decrease in recycling performance (estimated at around 6%), the 2020 pooled target for Merseyside will be less affected due to residents delivering garden waste to HWRCs and reverting home composting.

3.2.3 Environmental Streetscene Services Contract Review.

At the 19th July Cabinet, the Council elected to delay the break clause decision with regards to the Environmental Streetscene Services Contract until March 2016 (minute 59 refers). This strategic move enables the Council to decide, at an appropriate time, whether (and to what degree) we need to collect food waste from households in order to meet the 2020 target of 50% recycling. The existing fleet life has been extended to enable such a large scale change to be made to our waste collection infrastructure in the most cost effective way, whether that be by retendering the services or retaining the existing contractor.

3.2.4 Small WEEE and Battery Recycling

The Council has the opportunity to collect Small Waste Electrical and Electronic Equipment (WEEE) and batteries from the kerbside. Officers have been planning for the collection of these waste streams and estimate that a minimum of 150 tonnes per annum could be diverted from landfill. Such a collection would involve special cages being fitted to the underside of Biffa vehicles. Biffa would arrange for the recycling of the waste through their established electrical compliance scheme which they run nationally.

It is anticipated that the scheme would be popular with residents as Biffa are running similar collections with other contracts they hold with local authorities.

This type of waste is important to divert from landfill as waste composition studies have shown that because of its size, it is being placed into Wirral's green bins. The waste also has a high carbon content and under the Joint Recycling and Waste Management Strategy for Merseyside, it is important that high carbon wastes are diverted from landfill.

For Wirral to launch such a scheme, it would require a capital investment of around £43k to purchase underside vehicle cages for Biffa vehicles and initial one use plastic bags for residents to place the materials in for collection. It would also require around £10k of initial revenue to fund communications materials such as leaflets for residents and signage for Biffa vehicles.

3.2.5 Trade Waste Recycling

Officers previously presented (as part of the March 2011 response to the Bin Charging Motion) an update on a feasibility study undertaken on the collection of trade waste recycling, recommending that the Council acts as an enabler to commercial enterprises rather than directly collecting trade waste.

4.0 RELEVANT RISKS

4.1 There are a number of issues presented in this report that present a risk to MWP in reaching its pooled recycling target of 50% by 2020:

- There is currently no formal mechanism to scrutinise performance of all districts
- The current levy mechanism does not seek to incentivise districts to recycle more
- For important reasons detailed in section 2.2.2 unfortunately any savings in the levy will not be passed back to districts- this has already resulted in Wirral putting a small electrical appliance and battery recycling scheme on hold
- There is a feeling of a lack of formality regarding updates to the partnership around increasing the range of materials accepted at the MRF's
- The important and critical work carried out by the MRWA and their MRF contractor around investigating the feasibility of recycling more waste streams needs to be more formally reported to all partners

Substantial progress is needed by all districts to increase recycling and ensure that the 50% pooled target is achieved by 2020.

5.0 CONCLUSION

5.1. Wirral Council recognises the importance of diverting waste from landfill from both a financial and environmental standpoint. This report has highlighted the need for the

MWP to manage key risks around the delivery of its formalised pooled recycling target of 50% recycling by 2020. The report also makes three key recommendations that seek to manage those risks. Considerable investment by the MWP will be necessary to raise performance. However, the timing and nature of any investment should take into account the affordability of such funding, especially in light of the financial pressures that face all public sector bodies in current times. The partnership needs to work towards a position where any further significant investment in recycling or waste prevention initiatives can be implemented at proportionate cost to each district, in return for proportionate benefits. Once the costs and benefits of the Refuse Recovery Contract become clear later this year, the Partnership will be in a much stronger position to determine and justify how and when any future resources are implemented. It is also important to note that for the Partnership to succeed and invest in the most efficient way possible, all districts need to prioritise the pooled recycling target over its own individual performance and be more accountable to it.

6.0 OTHER OPTIONS CONSIDERED

6.1 This report details the strategy employed to date to increase recycling and also updates members on key options to be taken in the future for which detailed timely reports will be presented.

7.0 CONSULTATION

7.1 Extensive public consultation exercise carried out by the MRWA on the joint waste strategy (Public Consultation on the Draft Joint Municipal Waste Management Strategy for Merseyside, November 2011).

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 Some actions being undertaken to increase recycling involve community, voluntary and faith group partners.

9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

9.1 There are no resource implications arising from this report

10.0 LEGAL IMPLICATIONS

10.1 There are no legal implications arising from this report.

11.0 EQUALITIES IMPLICATIONS

11.1 Services changes mentioned within this report will be equality impact assessed as part of the planning process.

12.0 CARBON REDUCTION IMPLICATIONS

12.1 The actions currently being undertaken to increase recycling and minimise landfill all have significant impacts on Carbon Reduction. .

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no planning and community safety implications.

14.0 RECOMMENDATION/S

Members are requested to:

- 14.1 Instruct the Director of Technical Services to formally write to the Chair of the MRWA Board, the Director of the MRWA and the relevant directors of all Merseyside Councils to request that the partnership develop a suitable mechanism for scrutinising the individual performance of districts.
- 14.2 Instruct the Director of Technical Services to invite the MRWA to present a progress update around increasing the range of materials accepted at the MRF to include a presentation of findings around the viability of rigid plastic recycling, Tetra Pak recycling, metal recycling such as foil and textile recycling.
- 14.3 Instruct the Director of Finance to seek to establish a mechanism either internally or within the Merseyside Waste Partnership that Wirral Council (and district partners where applicable) have access to essential funding, along an 'invest to save' principle in order to improve recycling performance and reduce waste being sent to landfill.

15.0 REASON/S FOR RECOMMENDATION/S

15.1 The recommendations above will help to ensure that the risks around achieving the pooled recycling target are managed and that future investment in waste infrastructure can be based around sound business cases that reflect the benefits achieved by the partnership.

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APPENDICES

MRWA Annual Partnership Report
Motion: Increasing Recycling

REFERENCE MATERIAL

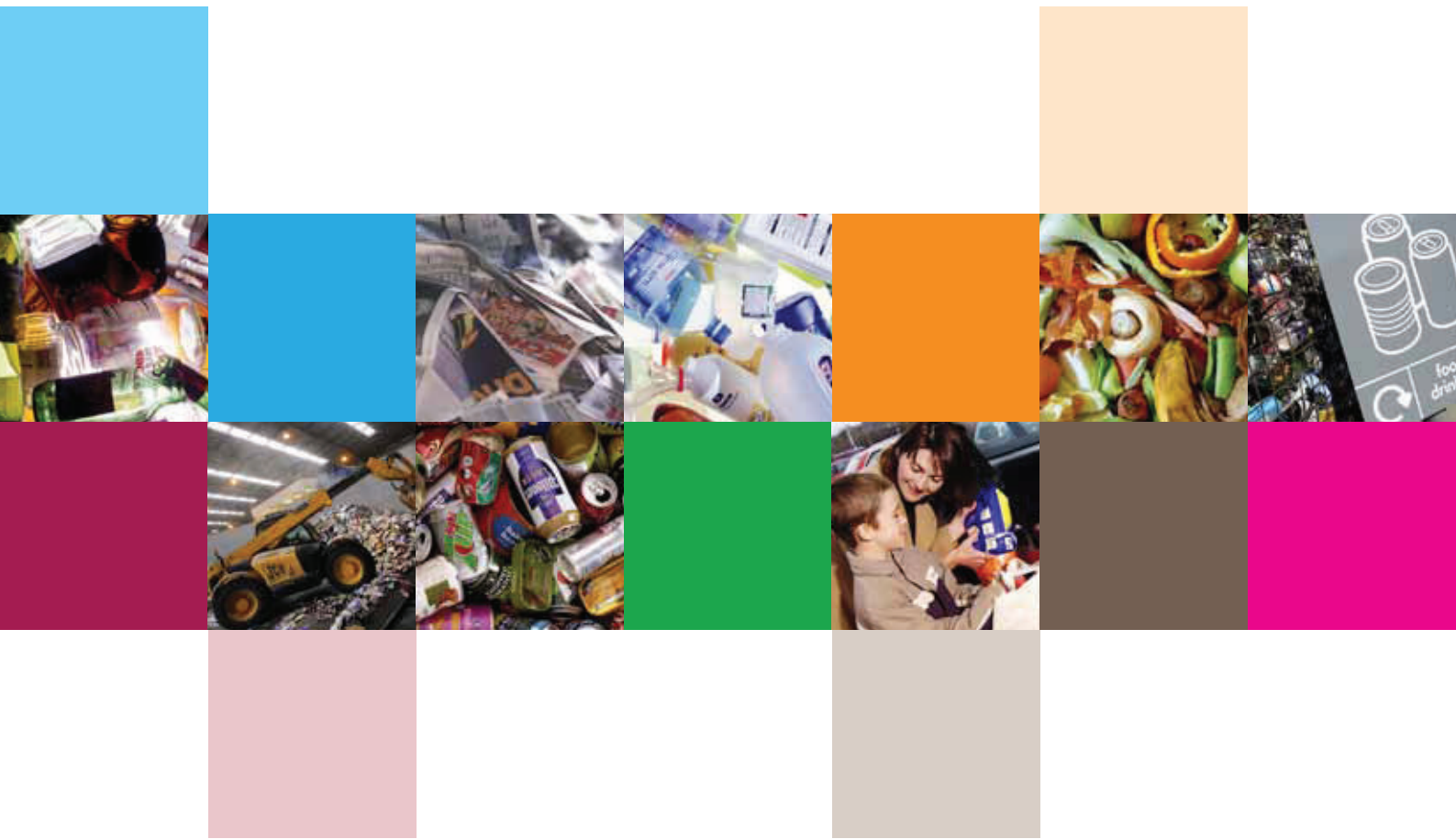
Cabinet 2nd February 2012 Joint Recycling and Waste Management Strategy Report.

Cabinet 19th July 2012 Environmental Streetscene Contract Break Clause Review.

Public Consultation on the Draft Joint Municipal Waste Management Strategy for Merseyside, November 2011.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Council	12th July 2010
Sustainable Communities Overview and Scrutiny Committee	10th March 2011
Council	12th December 2011



Every product tells a new story...

MERSEYSIDE AND HALTON WASTE PARTNERSHIP
ANNUAL REPORT 2012



INTRODUCTION



I am pleased to present this second Annual Report on the progress made to deliver sustainable management of household waste by the Merseyside and Halton Waste Partnership.

This report highlights the wide range of activities the Partnership has undertaken during the year to improve and deliver new waste management services to residents. Brand new facilities, joint working and innovative projects are all helping our local communities to increase their recycling and re-use of materials and reduce the amount of waste produced in the first place.

2011 has seen the production of RESOURCES Merseyside, the new Joint Recycling and Waste Management Strategy for Merseyside following a major public consultation. New challenging targets have been developed for Merseyside for recycling, waste prevention and carbon reduction. The Strategy also highlights the rapid pace of change of waste and resource management facing us now and in the years ahead. A key message is to recognise that waste is, in fact, a resource with a significant economic value.

We are delighted that the new Materials Recovery Facility at Gillmoss in Liverpool is complete and in operation. The Facility can process up to 250 tonnes of recyclable materials a day. Gillmoss also offers an exciting Recycling Discovery Centre for schools and community groups to visit and see what is happening to their recycling and learn about their environment. Education and awareness raising programmes are key to helping residents and businesses change their behaviour and make better use of their resources.

Above all we support the pathway towards zero waste by reducing the amount of waste we send to landfill. Progress continues to be made to identify a solution to recover value from household waste that cannot be recycled.

The targets in the new Strategy will be challenging to meet but this region continues to make progress, I hope our Annual Report offers you a snapshot of the work undertaken in the last year to deliver value for money services across Merseyside and Halton.

Neil Ferris
Chair. MHWP Senior Officers Working Group 2011/12



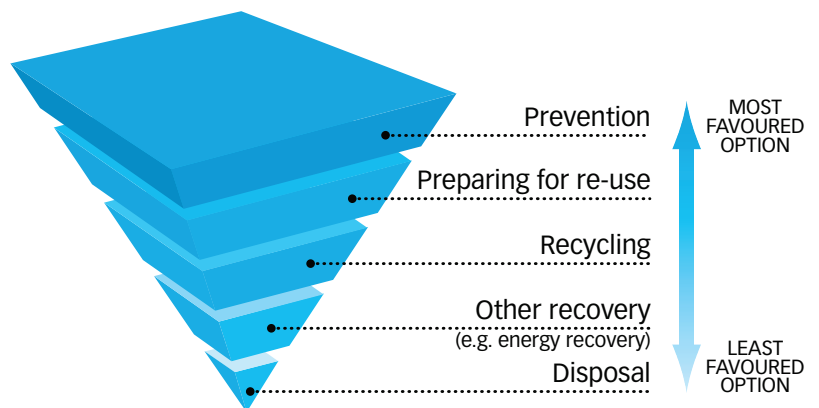
1. BACKGROUND

The Merseyside authorities together with Halton form the Merseyside and Halton Waste Partnership (MHWP) which consists of: Halton Borough Council, Knowsley Metropolitan Borough Council, Liverpool City Council, Merseyside Recycling and Waste Authority (formerly Merseyside Waste Disposal Authority), Sefton Metropolitan Borough Council, St Helens Metropolitan Borough Council and Wirral Metropolitan Borough Council.

The Partnership works together to manage the Local Authority Collected Municipal Waste (LACMW) in line with the Waste Hierarchy from not generating it in the first place (prevention) followed by re-use, recycling and composting then recovering energy from waste. Disposal of waste to landfill is the least preferable option.

2011/12 has seen performance improve across the Liverpool City Region supported by new facilities to divert waste away from landfill and residents increasing their participation in recycling as well as reducing the amount of waste they produce in the first place.

The Waste Hierarchy

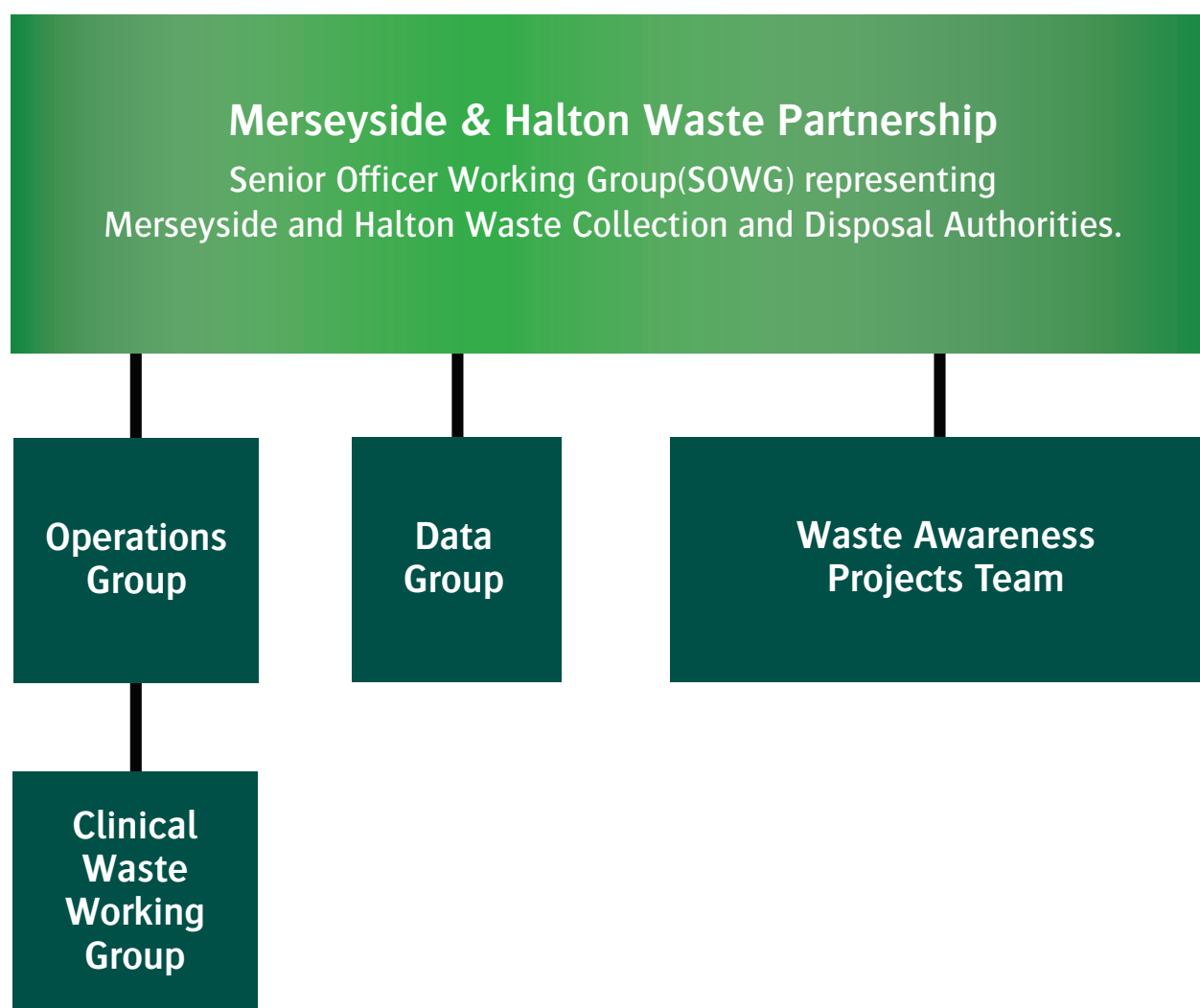


2. PARTNERSHIP STRUCTURE

The Partnership is managed through a Senior Office Working Group (SOWG) made up of senior officers from the seven partner authorities.

The SOWG works to an annual work programme (see section 4b) to deliver the objectives of the two Waste Management Strategies covering the City Region (one for Merseyside and one for Halton). Halton is a Unitary Authority and has its own statutory responsibilities for waste management in their area. The SOWG is supported by sub-groups tasked with taking forward initiatives in line with the agreed objectives as directed by the Partnership.

Merseyside Recycling and Waste Authority undertook the role of the Chair of SOWG in 2011/12, taking over from St Helens Council and the circulating role will pass to Liverpool Council for the period 2012/13.



3. RESOURCES Merseyside 2011-2041

The revised Joint Recycling and Waste Management Strategy for Merseyside¹ (JRWMS) has been developed in consultation with residents, elected members and other stakeholders and interested organisations.

This new headline document called “RESOURCES Merseyside” is a route map for partners to deliver sustainable waste management, transform the waste agenda and move towards greater resource efficiency.

A range of research projects were undertaken to provide evidence and data to inform the review of the Strategy. These included:

- Waste Composition Analysis;
- Issues and Options Reports;
- Public Consultations;
- Future Trends in Resource Use and Management Study; and a
- Strategic Environmental Assessment.

“RESOURCES Merseyside” sets out options for achieving a range of targets. It is for district councils to choose how they tackle the challenges identified in consultation with their local communities. A menu of priority options has been identified as actions for change to deliver the Strategy. The options chosen

by each district have been reflected in the production and adoption of a District Council Action Plan.

The public consultations on the draft Strategy demonstrated that a majority of residents and stakeholders who responded supported the direction of the Strategy with a focus on waste prevention, education and recycling services. Satisfaction with current household waste management services was generally high. Residents felt the need for a higher level of engagement to build understanding and support for the Strategy and in promoting positive behavioural change.

The Strategy is in the process of ratification by each district partner. Four of the six districts have given approval to date and it is anticipated that the Strategy will be fully adopted by summer 2012 when it will become available for download from partner websites.



¹ Halton has a separate but aligned Waste Management Strategy

The Green Community Shop & Centre

Tel: 653 2269

49/51



4. PARTNERSHIP PERFORMANCE

This section shows how the Waste Partnership has performed in delivering its work plan over the period April 2011 to March 2012.

a) Performance Indicators

Table 1 outlines the performance of each district in 2010/11 and 2011/12 and the comparative change between the two.

Table 1: Percentage (%) Recycling Rates

Date	Halton	Knowsley	Liverpool	MRWA	Sefton	St Helens	Wirral	Partnership total
2010/11	38.10	31.20	26.80	51.35	40.60	31.30	39.90	36.60
2011/12	39.90	32.00	26.20	54.41	40.80	31.70	40.60	37.10

Table 2: Contractual Performance for Household Waste Recycling Centres (HWRC) 2010/11

Indicator	2010/11 Target	2010/11 Actual	2011/12 Target	2011/12 Actual
HWRC Recycling (Merseyside and Halton)	51.21%	52.46%	51.53%	55.29%

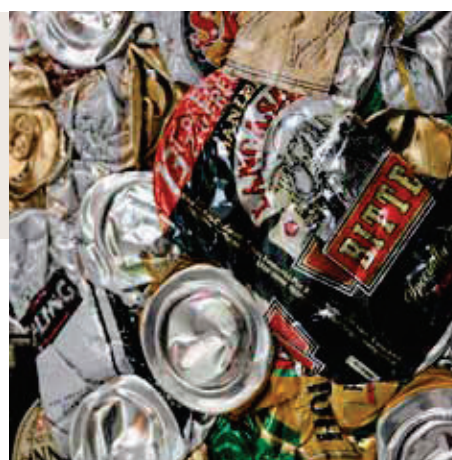




Table 3 measures performance across Merseyside and Halton based on the former National Indicators.

Table 3: Performance indicators

Indicator	Merseyside Actual 2010/11	Merseyside Target 2011/12	Merseyside Actual 2011/12	Halton Actual 2010/11	Halton Target 2011/12	Halton Actual 2011/12
Residual Household Waste Per Household (kg)	693	695	655	682	799	636
Household Waste Reused, Recycled or Composted (%)	36.5	36.8	36.9	38.1	40.0	39.9
Local Authority Collected Municipal Waste Landfilled (%)	60.7	63.2	60.0	59.56	62.0	57.6

b) Partnership Work Plan 2011-2012

Table 4 identifies key actions taken by the Partnership against an agreed work programme outlining the priority areas for the year. This is a live document linked to the Joint Recycling and Waste Management Strategy (JRWMS) for Merseyside and the Halton Waste Management Strategy.

Table 4: 2011/12 MHWP Work Plan Priorities and Actions

Priority 1. Complete the review of the Joint Recycling and Waste Management Strategy for Merseyside

Progress:

- Final Strategy produced in November 2011 with related District Council Action Plans (DCAPS) and ratification process commenced.
- Section 3 of this report gives more information on the review.

Priority 2 (i). Establish best practice and systems to increase recycling to 50% by 2020

Progress:

- Increased recycling rates across the Partnership (see table 1).
- Gillmoss Materials Recovery Facility (MRF) completed and operational by Veolia taking co-mingled recyclates from Knowsley, Liverpool and Halton households.
- Refurbishment of the Otterspool Household Waste Recycling Centre (HWRC) in Liverpool was completed.
- A new HWRC being constructed at Kirkby in Knowsley won an industry standard CEEQUAL award (Civil Engineering Environmental Quality Assessment). The HWRC will open in spring 2012.
- Halton's Recycle Bank incentive scheme continues to reward recycling by residents.
- 1250 litre collection tanks for used and leftover cooking oil fitted at all 14 HWRCs. This will be refined to produce renewable electricity for the National Grid. Each tank will produce enough electricity to power one average household for a year.
- Introduction of wheeled bins in areas of North Liverpool to replace bin bags.

Priority 2 (ii). Products made from your recycling

- Co-mingled recyclate provided by residents on Merseyside and Halton goes to the Materials Recovery Facilities in Gillmoss and Bidston. These materials are sent to reprocessors who specialise in particular materials and then used in the manufacture of new products depending on the needs of the market which include:
 - Used aluminium beverage cans made into new beverage cans and items such as bicycle frames;
 - Used steel beverage cans made into new cans;
 - Old corrugated card into new brown cardboard for packaging;
 - Newspapers and magazines recycled into newsprint and other paper products;
 - Mixed glass becomes a sand replacement or aggregates substitute for products such as coloured block paving used in traffic control;
 - Plastic bottles are granulated to be made into new bottles but can also be used to make products including textiles, street furniture and window frames;
- Where materials are sorted at the kerbside, bring banks and HWRCs, these resources can also be used for recycling and re-use including:
 - Used cooking oil is converted into a biofuel for use in renewable energy power stations to provide carbon neutral electricity in the UK; and
 - Quality clothes and shoes can be re-used; rags can be recycled as cloths, industrial wipers and as a filler in soft furnishings.

Priority 3. Reduce the total amount of waste produced per household.

Progress:

- Development of the MHWP Waste Prevention Action Plan as a supplementary part of the JRWMS.
- 5474 people directly engaged across 14 Love Food Hate Waste (LFHW) campaign events and 2388 questionnaire completed by residents.
- LFHW "Train the Trainer" programme provided 12 workshops to community professionals and volunteers across Merseyside and Halton.
- Potential reach of LFHW messages was over 1.2 million people; 200,000 at events, 420,000 at a Liverpool 1 community week event and 600,000 listeners to a three week Christmas campaign on Radio City.
- 72 items of media coverage through sponsorship of It's Our World pages in Trinity Mirror newspapers and 30 articles on line.
- Textile Stakeholder Forum in development to commence from April 2012.
- 696 compost bins sales across the Partnership area.
- 28,455 households registered to the Mail Preference Service (MPS) reducing levels of junk mail by approximately 4kg per person per year²

² MPS data

Priority 4. Promote behavioural change through delivery of education and awareness.

Progress:

- 3634 visitors to the Recycling Discovery Centres at Bidston and Gilmoor MRFs.
- MRWA attended 139 events across the Partnership area and direct engagement with 11,013 people.
- Development of waste prevention programme for school visits at the Southport Eco Centre. Commenced in the last quarter of 2011/12 with 829 students engaged.
- 7000 green bag (for compost) and 5000 blue bag (for WEEE) giveaways at HWRCs.
- Pro Recycling Behaviour Research project led by Wirral MBC in March 2012 to identify residents' behavioural changes using recycling bags and barriers to recycling.
- Eco Parent Support Network – practical workshops to ensure behavioural change related to food waste.
- £20,000 Community Resource Action Fund funded by MRWA and Veolia Environmental Services awarded to 11 projects from:

Knowsley

Knowsley Community Recycling Services;

Liverpool

CREATE, Fairfield Scout Group, Furniture Resource Centre and Liverpool World Centre;

St Helens

Working Worms;

Wirral

Green Community Shop and Centre, Hillside Primary School, North Birkenhead Development Trust, Weatherhead High School and Wirral Partnership Homes.



Priority 5. Effective management, development and governance of the Merseyside and Halton Waste Partnership

Progress:

- Review of recycling credits for textiles with workshops for charities and other recipients. MRWA made the decision to cap recycling credits for textiles at £25 per tonne and reinvest the remainder of the budget in 2012/13 to incentivise greater textile recycling and reuse.
- On-going development of an Inter Authority Agreement by partners to resolve outstanding issues for Liverpool and Wirral councils.
- Agreement to review the current payment mechanism to fund the Waste Disposal Authority in 2012/13 to ensure the payments from district councils are fair and positively benefit the delivery of the objectives of the new JRWMS.
- MRWA and Partnership responses on 8 key national and local consultations which would impact upon the delivery of Local Authority waste services.

Priority 6. Joint working in delivery of services.

Progress:

- Progression in identifying the best solution to deliver MRWA's Resource and Recovery Contract (RRC) with the announcement of final two bidders to extract Energy from Waste for waste that has not been recycled.

Priority 7. Collection and treatment options to process kitchen waste

Progress:

- Future provision of food waste collections and treatment has been considered as part of the Strategy review and included as a Priority Delivery Option for the districts. Further consideration will need to be given with the development and award of the RRC and central government announcements for Weekly Collections Support Scheme and increased support for small scale AD provision.

Priority 8. Develop opportunities to support third sector waste management activities and introduction of trade waste recycling schemes.

Progress:

- Successful Trade Waste pilot scheme undertaken at Bidston HWRC. This offered a service to businesses that may have been displaced from using the HWRCs since the introduction of the HWRC Commercial Vehicle Permit Scheme.



c) Carbon Outputs

Delivery of the new JRWMS for Merseyside will contribute to the low carbon economy in the Liverpool City Region and the impact on climate change by reducing the carbon emissions from waste management services. The Partnership and Veolia Environmental Services currently uses the Environment Agency's Waste and Resources Assessment Tool for the Environment (WRATE) to calculate the lifecycle assessment of the resources used and operation across a range of waste management processes. Central government is developing a consistent methodology to measure carbon impacts from existing waste data systems which should be in place by 2012/13.

Table 5 shows the baseline of the contract operations for Veolia Environmental Services at 16 HWRCs, 2 MRFs and 4 waste transfer stations across Merseyside and Halton. This demonstrates a 16,000 tonne reduction in carbon emissions in the last contract year.

Table 5: Carbon Emissions (tonnes CO² equivalent.)

	April 2009-March 2010	April 2010-March 2011
Transportation	9,309	4,076
Intermediate facilities	3,804	3,643
Recycling	-41,939	-45,060
Recycling (treatment) recovery	657	818
Landfill	115,500	107,646
Totals	87,332 tonnes	71,122 tonnes

d) Waste Prevention Outputs

The Partnership joined a national consortium of Local Authorities, Department of Environment, Food and Rural Affairs and WRAP in November 2011 working with ERM consultants in the development of a Waste Prevention and Carbon Toolkit. This will help provide more robust evidence on the benefits of funding waste prevention projects. Two projects have reported using the Toolkit during 2011/12 as detailed in Table 6.

Table 6: Waste Prevention Projects

Project	Tonnes diverted from landfill	Carbon avoided (CO ² equivalent) tonnes	Waste Management cost savings (£)
Love Food Hate Waste	6,500	24,000	360,000
Home composting	104.4	9.40	7,308
Totals	6,604.40 tonnes	24,009.40 tonnes	£367,308



5. LOOKING FORWARD

This report shows that significant progress and improvements have been made in the last year by the Partnership with positive contributions made by residents to increase their recycling and reduce their waste. There are further challenges ahead to deliver the new Joint Recycling and Waste Management Strategy for Merseyside and Halton's waste management priorities which will form the basis of the SOWG Work Plan for 2012 onwards.

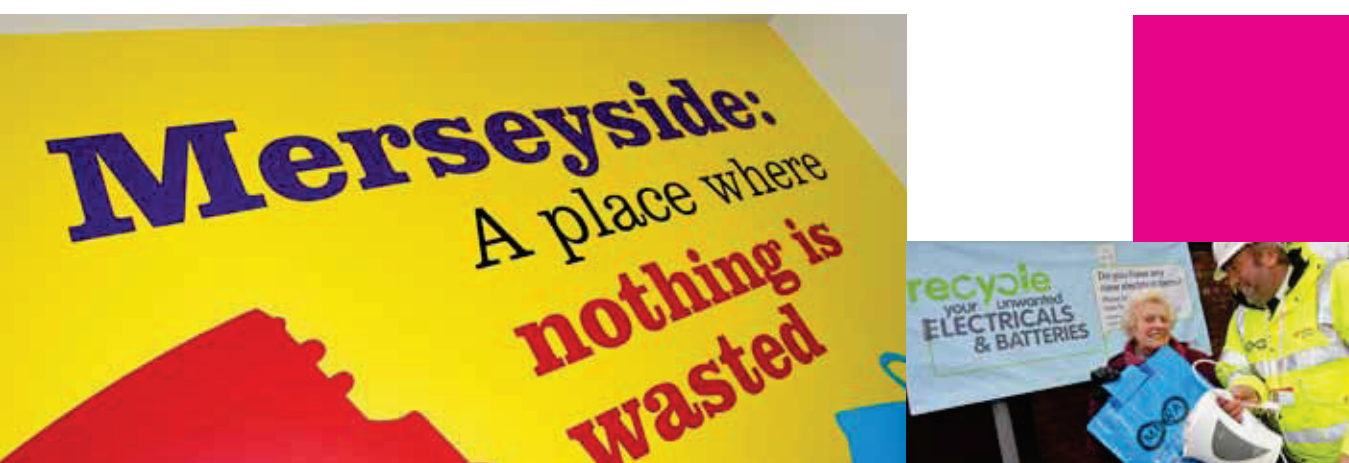
These key aims will include:

- 50% recycling rate to be achieved by 2020;
- Reducing the carbon impacts of waste management;
- Maximise waste prevention;
- Maximise landfill diversion/recovery or residual waste;
- Raising awareness and promoting behavioural change; and
- Encouraging sustainable economic activity associated with waste management.

A key element in this delivery will be the announcement of a preferred bidder for the Resource and Recovery Contract being tendered by MRWA expected in autumn 2012.

The Partnership will need to determine how it wishes to progress its inter relationships in light of DEFRA confirmation that an Inter Authority Agreement is not a requirement to receive Waste Infrastructure Credits for the Resource Recovery Contract.

By working together and with other organisations, the Partnership can help address the broader environmental challenges of sustainable waste management, reducing carbon emissions and resource efficiencies whilst providing value for money services in the current financial climate.







The Merseyside and Halton Waste Partnership will continue to work with residents, communities and businesses to help them reduce waste, recycle more and address some of the major resource opportunities and challenges facing our society over the coming years. Information on recycling, re-use and waste prevention initiatives can be found on the Recycle for Merseyside and Halton website:

www.recycleformerseysideandhalton.com

Tel: 0151 255 1444
 Fax: 0151 227 1848

Email: enquiries@merseysidewda.gov.uk



Resolved (64:0) (One abstention) –

Council:

(1) Is reminded of its support of The Joint Recycling and Waste Management Strategy for Merseyside which includes a commitment to recycle 50% of household waste by 2020.

(2) Believes that (subject to the implementation of a new Levy Payment Mechanism that incentivises district investment in recycling) it can reach and should exceed this target much sooner, helping to reduce the borough's carbon footprint and reduce the amount paid out for waste disposal.

(3) Is reminded that it agreed unanimously (Council, 12th July 2010, Minute 22) “to request that the Director of Technical Services continues to examine new ways to reduce waste to landfill, such as through the introduction of food waste collections (taking account of existing work undertaken to date), the collection of recyclable material from businesses, increasing the range of recyclable material that can be taken to the council's recycling collection points and working with MWDA to increase the range of materials that can be placed in grey bins”.

(4) Instructs the Director of Technical Services to present a report to the next available Sustainable Communities OSC, and calls on the Leader to request a Cabinet report, setting out the contribution and progress Wirral has made since 12th July 2010. This report shall also include, but not be limited to, options for;

(i) increasing the range and proportion of materials that are recycled with particular focus on materials realising the most carbon savings, such as textiles and WEEE (Waste Electrical and Electronic Equipment)

(ii) supporting the development of improved facilities and services for the recycling of trade and commercial wastes, recognising that a local green infrastructure will support the development of local businesses;

(5) Instructs the Director of Technical Services to present a report to the Sustainable Communities OSC, and invites the Leader to request a Cabinet report, before the end of the municipal year proposing a Wirral Council Action Plan that clearly sets out the mechanism by which Wirral will achieve the objectives included in The Joint Recycling and Waste Management Strategy for Merseyside.

(6) Also calls on the Leader to instruct the Director of Technical Services to work with the Merseyside Waste and Recycling Authority and other Merseyside authorities to modernise the levy mechanism and design a new system which more accurately reflects the benefits of recycling and the disposal costs of non recyclable waste.

WIRRAL COUNCIL

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

26 SEPTEMBER 2012

SUBJECT:	TRADING STANDARDS EMPOWERMENT PARTNERSHIP
WARD/S AFFECTED:	ALL
REPORT OF:	DIRECTOR OF LAW, HR AND ASSET MANAGEMENT
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 A report to advise Members of the steps being taken to raise awareness, within the community, of the work of Trading Standards and their plans for working together to deliver services that reflect the needs of our community in pursuit of a fair deal for both consumers and businesses.
- 1.2 The newly established Trading Standards Empowerment Partnership brings together organisations with an interest in business support and consumer empowerment to work together to identify issues, pool evidence, support businesses and consumers through the delivery of projects and campaigns for improvements. The partnership will raise the awareness of the services Trading Standards provides and Trading Standards will steer the implementation of an action plan. The actions will be decided by the partners with the activities reflecting priority areas for the community utilising the statutory powers and responsibilities of the Trading Standards Service. It will seek to provide more effective protection of vulnerable consumers, support honest businesses and through enhances intelligence sharing, help Trading Standards tackle consumer detriment caused by rogue traders. The partnership will also focus on efficiency and provide a platform for joint delivery of funded projects.
- 1.3 The partnership has been founded with the engagement of 23 key stakeholders and is chaired by Councillor Brian Kenny. Trading Standards will host the launch event on Thursday 27th September 2012, which is to be followed by bi-monthly meeting that will be used to coordinate the delivery of an agreed action plan.
- 1.4 This report was requested as part of the annual work plan for the Committee.

2.0 BACKGROUND AND KEY ISSUES

2.1 Overview

- 2.1.1 Wirral Council has a statutory duty placed upon it to provide a Trading Standards Service, to enforce a broad range of consumer protection legislation and use powers

to ensure that consumers and businesses are treated fairly and are protected from the sale of unsafe products and unfair trading practices.

2.1.2 The list of criminal legislation the Trading Standards Service enforces runs to forty five Acts of Parliament and several hundred pieces of related secondary legislation used to protect consumers and businesses. Trading Standards Officers also use a host of additional legislation that gives consumers and businesses rights should thing go wrong with their purchase.

2.1.3 In addition, the Trading Standards Service works closely with Citizens Advice who operates a national 'Consumer Help-line' and handles the initial requests for advice. Their highly trained advisers notify Trading Standards of any criminal matters for investigation and refer those customers that need additional support.

2.1.4 Trading Standards aim to carry out Wirral Council's enforcement responsibility in a fair but firm manner. They will have due regard to the principles of proportionality, consistency and transparency. They target resources towards the most vulnerable consumers and those businesses or business sectors impacting most upon the safety, health or wealth of consumers or the economic viability of other businesses. Their primary activities include:-

- Investigating complaints from consumers or businesses about goods and services they have purchased;
- Assisting consumers to obtain redress where a business has failed to fulfil its contractual obligations;
- Implementing strategies that delivers fair trading and business compliance and better protects vulnerable people from consumer detriment.
- Obtaining written assurances or enforcement orders from businesses with regards to their future conduct;
- Investigating and prosecution the worst offenders
- Conducting food sampling and testing consumer products to ensure that they are accurately described and safe to use (Food Labelling Regulations, Consumer Protection Act);
- Using intelligence sources to identify and tackle unfair or illegal trading practices;
- Providing information, advice and education to businesses and consumers;
- Dealing with referrals from other trading standards services and other enforcement agencies;
- Preventing the supply of dangerous, unsafe or harmful consumer products (Consumer Protection Act);
- Verifying that the claims or statements made about property, goods, services, accommodation and facilities are truthful (The Consumer Protection from Unfair Trading Regulations);
- Discouraging sales of alcohol, cigarettes, fireworks, gas lighter refills, spray paints, solvents and restricted videos to young people (Consumer Protection Act, Licensing Act and Children & Young Persons Act);
- Ensuring that credit providers are fit and proper persons, that their advertisements are not misleading and that they supply prescribed documentation (Consumer Credit Act);
- Disrupting the sale of counterfeit or pirate goods (Trade Marks Act, Copyright Designs and Patents Act);

- Investigating rogue traders and unfair trading practices (The Consumer Protection from Unfair Trading Regulations, Enterprise Act);
- Scrutinising pricing indications to see that the prescribed information is given and that comparisons or reductions are genuine (The Consumer Protection from Unfair Trading Regulations);
- Enforcing the rules regarding hallmarking of articles of gold, silver and platinum offered for sale (Hallmarking Act);
- Checking that video recordings are correctly labelled with classification, that unclassified videos are not sold and that only licensed sex shops supply sex videos (Video Recordings Act);
- Ensuring that equipment used by businesses for weighing and measuring goods for sale are accurate by testing scales, petrol pumps and intoxicating liquor dispensers, etc (Weights & Measures Act).

2.1.5 Trading Standards work in Wirral is also supported by regional/national enforcement teams funded by the Department of Business Innovation and Skills, these being: The Illegally Money Lending Team, Scambusters and Illicit Tobacco Team. In addition, there are other organisations impacting on the work of Trading Standards, such as the Food Standards Agency, Trading Standards North West and the National Trading Standards Policy Board.

2.1.6 Trading Standards work in partnership with Wirral's Community Safety Team in the establishment of joint No Cold Calling/Neighbourhood Watch areas and with Merseyside Police who assist with a variety of joint criminal investigations and operations, the Fire Service and Age Concern with electrical safety and the testing of electric blankets and the Council One Stop Shops who support in providing consumer advice and referrals of those customers seeking face to face assistance.

2.1.7 Trading Standards have also formed good working relations with businesses through Home Authority, Primary Authority and the Trading Standards Approved Business partnerships.

2.1.8 Trading Standards recognises the importance of working in partnership to deliver its services effectively and the Trading Standards Empowerment Partnership will bring together and build on the existing partnerships and create new actions from the wider partnership that reflects the needs of the community.

2.2 Strategic Objectives for the Trading Standards Empowerment Partnership

2.2.1 To contribute to the achievement of the Council's Corporate, Partners and Community objectives.

2.2.2 To provide an appropriate mix of actions in all areas of trading activity which is based on risk assessment and intelligence led enforcement.

2.2.3 To provide information and advice through the partnership so as to achieve informed confident consumers and informed successful businesses in Wirral.

2.2.4 Identify and respond to the needs of the community and businesses to set local priorities

- 2.2.5 Through local activities, people will hear about and report scams and rogue traders, find opportunities to develop skills as consumers and will be able to join campaigns which tackle issues.
- 2.2.6 Develop robust information sharing policies, practices and protocols.
- 2.2.7 Oversee, promote and utilise pro-active projects such as the Trading Standards Approval Scheme and Neighbourhood Watch/No Cold Calling Zones.
- 2.2.8 Encourage inter-agency co-operation and working to achieve the most effective deployment of resources to meet identified needs.
- 2.2.9 Develop and maintain mechanisms for increasing consumer education materials.

2.3 Key Priorities for the Trading Standards Empowerment Partnership

- 2.3.1 The partnership will focus on 4 core priorities: Informed Successful Business, Informed Confident Consumers, Enforcement and the Provision of an Effective, Efficient and Improving Service.
- 2.3.2 These priorities will be driven through the Trading Standards Empowerment Partnership to engage, raise awareness, share information and intelligence and educate key stakeholder groups.
- 2.3.3 The plan and actions for the Partnership will be formed through consultation and with the agreement of the representatives of the Partnership. It will link up the existing partnerships groups and may well generate partnership sub-groups to deliver specific projects.

2.4 List of Partners

- 2.4.1 The role of Trading Standards impacts on wider issues such as Health & Wellbeing, Crime, Neighbourhoods, Environment, Business Growth, Local Economy, Jobs and Education. The partnership group will reflect this diversity and the following organisations have joined:

- Wirral Citizens Advice Bureaux
- Department of Adult Social Services
- Age UK
- Involve North West
- Lairdside Communities Together
- St James Centre, North Birkenhead
- Federation of Small Businesses
- Wirral CVS
- Invest Wirral
- Wirral Chamber of Commerce
- NHS – Public Health (Alcohol and Tobacco)

- Handypersons
- Private Sector Housing
- Community Safety
- Community Patrol
- Wirral Metropolitan College
- Merseyside Police
- Council One Stop Shop
- Wirral Credit Union
- Older Peoples Parliament
- VECAW
- National Illegal Money Lending Team
- Wirral Partnership Homes

3.0 RELEVANT RISKS

- 3.1 Failure to work in partnership and share intelligence places vulnerable adults and children at risk of harm and criminal activity goes undetected.
- 3.2 Failure to work in partnership with the voluntary sector can lead to inequality in the harder to reach areas of the community

4.0 OTHER OPTIONS CONSIDERED

- 4.1 Trading Standards provide advisory material and training to business owners and staff but offences are still detected.

5.0 CONSULTATION

- 5.1 Representatives from each of the named partnership agencies have been consulted.
- 5.2 One of the key aims of the partnership is to engage the community through the partner agencies and consider their responses to identify their priorities which will steer the partnership and the action plan.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 6.1 None

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 7.1 None

8.0 LEGAL IMPLICATIONS

- 8.1 None

9.0 EQUALITIES IMPLICATIONS

- 9.1 There are no negative equality implications for the partnership but there are positive impacts which are highlighted in the attached Equality Impact Assessment.

10.0 CARBON REDUCTION IMPLICATIONS

10.1 None

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 No planning implications. Reducing the access young people have to age restricted products will minimise the risk of harm to them and reduce anti social behaviour

12.0 RECOMMENDATION/S

12.1 That Members note contents of the report.

13.0 REASONS FOR RECOMMENDATION/S

13.1 The report was requested as part of the work programme for this Committee. It provides information on the work of Trading Standards Service and the importance of the partnership activity undertaken by the Trading Standards Service and highlights improvements to be made through the engagement of a broader partnership with business and the community through the Trading Standards Empowerment Partnership. The report is presented for the consideration of Members.

REPORT AUTHOR: **Derek Payet**
Trading Standards Strategic Manager
Telephone: (0151 691 8640
email: derecpayet@wirral.gov.uk

APPENDICES

Appendix 1 – Trading Standards Empowerment Partnership document for partners

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None	



Trading Standards Empowermen t Partnership

Working
together to get
a fair deal for
Consumers and
Businesses



Foreword

Derek Payet, Head of Trading Standards

This Partnership Plan proposed by Wirral Councils Trading Standards Service outlines how we will collectively move forward to deliver services that reflect the needs of our local communities and businesses to create a fair trading environment.

We need to address a number of public health issues that include Food, Alcohol and Tobacco. In addition, other priorities including Counterfeiting, E-Crime, Rogue Traders, Product Safety, Doorstep Crime, Telephone and Mailing Scams. The effects of the economic downturn brings challenging times for customers as the risk of consumer detriment will increase. Customers are more likely to turn to loan sharks and experience debt issues, there is an increase sale of harmful illicit tobacco and alcohol due to its low price and more people are prone to getting ripped off by rogue traders. New businesses and good reputable businesses need support in trading fairly so that they can continue to thrive within these turbulent trading times.

It is therefore more important than ever that the Trading Standards Service is more visible and is aligned to partner organisations and communities to ensure that risks, fears and needs are recognised and addressed quickly. The work that we do must be more intelligence led so that we can set priorities and respond to the needs of our local communities and tackle the most prevalent problems.

Making sure the partnership truly understands local issues and acts on intelligence will create an environment whereby consumers are protected and good businesses supported. Information and advice will be more easily accessible with an enhanced signposting service and we will be committed to keeping the community informed of projects by communicating messages and activities through the partnership. Education is essential to



“Working together to get a fair deal for Consumers and Businesses in Wirral”

It is our ambition that every partner will seek to identify and respond to the needs of the community and businesses, to set local priorities, produce targets and deliver actual outcomes that will through fair trading, improve the well-being and health of communities and the local economy. Within the partnership, we will have the skills, expertise and commitment to deliver and I am confident that we will be able to achieve

Contents

- 1. Partnership Aims & Objectives**
- 2. Scope of the Trading Standards Service**
- 3. Key Priorities**
- 4. Informed Successful Businesses**
- 5. Informed Confident Consumers**
- 6. Enforcement**
- 7. Identified Partners**
- 8. The Partnership**

1. Partnership Aims & Objectives

1. Purpose

1.1 This plan outlines the priorities for Wirral Council Trading Standards Service. It sets out what services will be delivered, how they fit in with the Council's corporate priorities partner priorities and what the partnership seeks to achieve.

1.2 It outlines how the Trading Standards Service will respond to the aims of informed confident consumers, informed successful businesses, and enforcement of a fair and safe trading environment and the provision of an efficient, effective and improving service through the Trading Standards Empowerment Partnership.

1.3 The Trading Standards Empowerment Partnership (TSEP) will bring together organisations with an interest in business support and consumer empowerment to work together to identify issues, pool evidence, support businesses & consumers through the delivery of projects and campaign for improvements. The partnership will also provide a platform for joint delivery of funded projects.

2. Strategic Objectives

- To contribute to the achievement of the Council's Corporate, Partners and Community objectives.
- To provide an appropriate mix of actions in all areas of trading activity which is based on risk assessment and intelligence led enforcement.
- To provide information and advice through the partnership so as to achieve informed confident consumers and informed successful businesses in Wirral.
- Identify and respond to the needs of the community and businesses to set local priorities
- Through local activities, people will hear about and report scams and rogue traders, find opportunities to develop skills as consumers and will be able to join campaigns which tackle issues.
- Develop robust information sharing policies, practices and protocols.
- Oversee, promote and utilise pro-active projects such as the Trading Standards Approval Scheme and Neighbourhood Watch/No Cold Calling Zones.

- Encourage inter-agency co-operation and working to achieve the most effective deployment of resources to meet identified needs.
- Develop and maintain mechanisms for increasing consumer education materials.

2. Scope of the Trading Standards Service

2.1 Overview

Wirral Council has a statutory duty placed upon it to provide a Trading Standards Service, to enforce a broad range of consumer protection legislation and use powers to ensure that consumers and businesses are treated fairly and are protected from the sale of unsafe products and unfair trading practices. The Trading Standards service is a section of Wirral Council's Law, HR and Asset Management Department. It consists of 15.4 officers and is allocated a budget of just over £850,000.

The list of criminal legislation the Trading Standards Service enforces runs to forty five Acts of Parliament and several hundred pieces of related secondary legislation used to protect consumers and businesses. Trading Standards Officers also use a host of additional legislation that gives consumers and businesses rights should thing go wrong with their purchase.

In addition, the Trading Standards Service works closely with Citizens Advice who operates a national 'Consumer Help-line' and handles our initial requests for advice. Their highly trained advisers notify Trading Standards of any criminal matters for investigation and refer those customers that need additional support.

We aim to carry out Wirral Council's enforcement responsibility in a fair but firm manner. We will have due regard to the principles of proportionality, consistency and transparency. We will target resources towards the most vulnerable consumers and those businesses or business sectors impacting most upon the safety, health or wealth of consumers or the economic viability of other businesses. Our primary activities include:-

- Investigating complaints from consumers or businesses about goods and services they have purchased;
- assisting consumers to obtain redress where a business has failed to fulfil its contractual obligations;
- Working with businesses to improve compliance and deliver better services to their customers;
- obtaining written assurances or enforcement orders from businesses with regards to their future conduct;

- conducting food sampling and testing consumer products to ensure that they are accurately described and safe to use (Food Labelling Regulations, Consumer Protection Act);
- Using intelligence sources to identify and tackle unfair or illegal trading practices;
- providing information, advice and education to businesses and consumers;
- dealing with referrals from other trading standards services and other enforcement agencies;
- preventing the supply of dangerous, unsafe or harmful consumer products (Consumer Protection Act);
- verifying that the claims or statements made about property, goods, services, accommodation and facilities are truthful (The Consumer Protection from Unfair Trading Regulations);
- discouraging sales of alcohol, cigarettes, fireworks, gas lighter refills, spray paints, solvents and restricted videos to young people (Consumer Protection Act, Licensing Act and Children & Young Persons Act);
- ensuring that credit providers are fit and proper persons, that their advertisements are not misleading and that they supply prescribed documentation (Consumer Credit Act);
- disrupting the sale of counterfeit or pirate goods (Trade Marks Act, Copyright Designs and Patents Act);
- investigating rogue traders and unfair trading practices (The Consumer Protection from Unfair Trading Regulations, Enterprise Act);
- scrutinising pricing indications to see that the prescribed information is given and that comparisons or reductions are genuine (The Consumer Protection from Unfair Trading Regulations);
- enforcing the rules regarding hallmarking of articles of gold, silver and platinum offered for sale (Hallmarking Act);
- checking that video recordings are correctly labelled with classification, that unclassified videos are not sold and that only licensed sex shops supply sex videos (Video Recordings Act);
- ensuring that equipment used by businesses for weighing and measuring goods for sale are accurate by testing scales, petrol pumps and intoxicating liquor dispensers, etc (Weights & Measures Act).

3. Key Priorities

Trading Standards work is focussed on four core national priorities:



Informed
successful
businesses

Informed
confident
consumer

Enforceme
nt

Provision of
an
effective,
efficient
and

These priorities will be driven through the Trading Standards Empowerment partnership to engage, raise awareness, communicate and educate key stakeholder groups.

4. Informed Successful Businesses

4.1 Trading Standards are committed to providing advice and support to ensure that local businesses are informed and we will continue to consult with businesses to better understand their needs and requirements.

4.2 We will deliver a proactive education programme for businesses, advising on changing legislation or in areas that are complex or high risk or where compliance is low. We will do this through personal contact, targeted information programmes, projects, mail shots and press releases.

4.3 We will offer training sessions and advice for small businesses on request, in order to support them and increase their legal compliance in Wirral.

4.4 We will continue to invest, promote and grow the Trading Standards Approval Scheme which was set up in 2003 as a preventative measure to protect consumers from being targeted by rogue and bogus traders. It aims to give consumers a reliable way of finding trustworthy, reputable local businesses, offers a source of help and advice if things go wrong and enables local businesses to demonstrate that they have signed up to national standards.

4.5 We will work in partnership with Wirral Chamber of Commerce, Invest Wirral, Federation of Small Businesses, private sector organisations and other departments of the Council such as Private Sector Housing and Handypersons Team. We will ensure that publicity campaigns aimed at specific areas of trade are brought to their attention and will also liaise with Town Centre Managers to provide business support and advice.

4.6 We will continue to promote and maximise partnerships with appropriate local businesses in line with the Primary Authority Principle.

Results

“Over 19,000 consumers have used the Trading Standards Approval Scheme to find a reputable business, significantly reducing risk of consumer

5. Informed Confident Consumers

- 5.1 We will provide quality advice and information using modern technology and appropriate media and work with CABx volunteers in handling complex consumer advice enquiries. The service will continue to operate systems to ensure that consumers with a complaint or enquiry are referred initially to Citizens Advice for advice and information.
- 5.2 We will incorporate relevant and up to date consumer advice and information, including details of product recalls on our website.
- 5.3 We will provide talks to schools, vulnerable groups and partners within the borough about the work of Trading Standards upon request.
- 5.4 We will work with Scambusters, Police, Community Safety, Action Fraud, Neighbourhood Watch, Residents Associations, Community & Voluntary organisations to warn vulnerable sectors of scams operated by doorstep sales, post, e-mail and telephone and will take part in any future "Scamnesty" campaigns.
- 5.5 We will ensure that consumers are warned about scams, rogue trader activity or product issues through the community safety 'Ringmaster' system and local media publicity. Press Releases will be issued through the Council website, local papers and to partners.
- 5.6 A range of Consumer Advice material will be available on our website and through partners. 'Consumer Intervention' and dispute resolution will be provided to those consumers most in need of support.
- 5.7 We will utilise the service of the regional Illicit Tobacco Team and the UK Intellectual Property Office and we will work with the Illegal Money Lending Team to combat problems associated with loan sharks and work with organisations such as Wirral Credit Union, Wirral CVS, Involve NW and LCT.

Results

“In the last 12 months, 2000 people have accessed the Trading Standards Service and £215,000 has been returned to customers through complaint

6. Enforcement

- 6.1 We will investigate all referrals from the Citizens Advice Helpline Service, Council One Stop Shops, Wirral CABx and our other partners, which relate to consumer complaints where there is an alleged breach of consumer protection legislation.
- 6.2 Intelligence sources, such as the Citizens Advice Service's national database, enable Trading Standards to identify problem traders and complaint trends in the area. We will regularly review and develop our enforcement programmes and target areas causing greatest economic harm.
- 6.3 Intelligence received from our partners is vital in order to protect young people and the community from the potentially harmful affects of certain products that can only be purchased by those over 18 years of age. Many age-restricted products are linked to criminal and anti-social behaviour as well as poor health and educational under achievement. Others are restricted on grounds of decency. The Trading Standards Service enforces a wide range of age restricted sales legislation including alcohol, tobacco, fireworks, knives, DVD's, computer games, solvents and aerosol spray paint. In addition to providing advice and guidance to businesses the service will carry out tests purchasing using volunteers to check compliance and work with Asda and other large retailers to promote initiatives such as 'Think 25'.
- 6.4 We will work to establish a Community Alcohol Partnership and share information and set local priorities.
- 6.5 We will continue to promote the Citizens Card, which is a proof of age ID card by working with NHS and local retailers.
- 6.6 We will work in partnership with the Police and IP Crime Groups to tackle the problem of sales of counterfeit goods. Counterfeiting is designated as a 'criminal lifestyle' offence under the Proceeds of Crime Act 2002 and we will seek confiscation orders to recover the benefit from criminal activity, thereby making asset recovery and integral part of criminal investigations.
- 6.7 We will work in partnership with the Police, Community Safety and other agencies to combat rogue traders and doorstep crime and other practices which target the vulnerable and socially excluded.
- 6.8 We will submit a joint funding bid with Age UK and the Fire Service for the delivery of a free Electrical Testing service.
- 6.9 We will work with Community Safety, Community Patrol, Neighbourhood Watch and local communities to implement No Cold Calling Zones to tackle the problems associated with rogue builders and distraction burglary.

- 6.10 We will carry out routine checks on e-businesses and continue to operate systems for covert inspection and test purchasing of goods and services on the internet by credit card.
- 6.11 When goods are sold to consumers, the goods must be safe. If the goods are unsafe, and they cause death, injury or damage to property, the manufacturer, the retailer and/or anyone else in the supply chain may have to meet a claim for compensation and could face prosecution for breaching safety law. We will share information with our partners and conduct testing of products believed not to be safe.
- 6.12 We will continue to check the accuracy of weighing and measuring equipment used by traders, ranging from industrial weighbridges and shop scales to petrol pumps and spirit and beer measures in pubs. This ensures that consumers and businesses can rely on the quantity of the goods they are buying which increases consumer confidence in value for money they are receiving. We also check pre-packed goods at the factory to make sure that they are not short weight or measure and carry out random checks at retailers. We will conduct surveys to test compliance in areas seen as a priority by the partners based on intelligence obtained
- 6.13 European and British law says that all food products sold in this country must be labelled correctly, provide enough information for people to know exactly what they are buying and meet compositional standards. Product names and labels must not be misleading and certain food labels have to correctly specify weights, expiry dates, ingredients and nutritional content. We will provide expert advice and guidance to businesses on how to comply with the law in relation to food standards and we will provide advice, guidance and educational materials through this partnership

Results

“755 investigations into illegal activity of Wirral businesses.”

“Anti-counterfeiting activities have resulted in millions of pounds worth of illegal goods being taken off Wirral Streets.”

“80 test purchase attempts made using ‘under age’

7. Provision of an Effective, Efficient and Improving Service

7.1 Trading Standards is committed to delivering an effective, efficient and improving service to achieve maximum results.

7.2 Trading Standards will closely monitor performance targets throughout the year and these will be regularly reviewed at management and team meetings. Individual performance targets will be set for officers at the beginning of the year and reviewed at appraisal meetings.

7.3 We will continue to identify and introduce examples of Good Practice within the Trading Standards field and will review and develop quality procedures and work instructions to reflect current good practice.

7.4 We will continue to consult consumers about how we should deliver our service. This will include the opportunity to comment through customer satisfaction surveys and on the Council's website.

7.5 Service complaints will be dealt with in accordance with the procedure.

7.6 We will seek opportunities to develop remote and flexible working practices to improve service delivery and the efficiency.

7.7 To ensure staff have the necessary skills required to deliver the service we will operate the Departmental Staff Appraisal and Development scheme, we will continue to support officers in continuous professional development and introduce a rigorous competency based framework that will ensure high standards of service are maintained. Officers will be supported in obtaining the Diploma in Consumer Affairs and Trading Standards (DCATS) qualification where possible and encouraged to become members of the Trading Standards Institute (TSI), the professional body, and attend TSI Conference.

8. Identified Partners

The role of Trading Standards impacts on wider issues such as Health & Wellbeing, Crime, Neighbourhoods, Environment, Business Growth, Local Economy, Jobs and Education. The partnership group will reflect this diversity and the following organisations will be invited to join:

- Wirral Citizens Advice Bureaux
- Department of Adult Social Services
- Age UK
- Involve North West
- Lairdsie Communities Together
- St James Centre, North Birkenhead
- Federation of Small Businesses
- Wirral CVS
- Invest Wirral
- Wirral Chamber of Commerce
- NHS
- Handypersons
- Private Sector Housing
- Community Safety
- Community Patrol
- Wirral Metropolitan College
- Merseyside Police
- Council One Stop Shop
- Asda
- Wirral Credit Union
- Older Peoples Parliament
- VECAW

The Wirral Council Cabinet Member for Environment will be invited to act as Chair of the Partnership and a Partnership Co-ordinator will be appointed.

9. The Partnership

- 9.1 The partnership group will meet on a bi-monthly basis. Meetings should last approximately half a day.
- 9.2 The partnership will set local priorities, targets and outcomes.
- 9.3 An action plan will be produced and implemented by the Partnership. This will outline the targets, outcomes and organisation(s) responsible.
- 9.4 There will be no financial burden placed on partner organisations and Trading Standards will allocate a budget to the partnership to take forward pro-active work.
- 9.5 The partnership will source joint funding opportunities whereby Trading Standards will bid for funds for partner organisations to deliver projects that address local issues.
- 9.6 Trading Standards will support partnership organisations in the delivery of their own corporate priorities and goals.
- 9.7 Partners commit to supporting and promoting Trading Standards projects and will act as advocates for fair trading.
- 9.8 A launch event will take place in August 2012 and all partner organisations will be invited. The event will provide a more in-depth overview of Trading Standards and partners will have the opportunity to meet members of the team.
- 9.8 It is anticipated that the Partnership will first meet in September 2012 and deliver its first 12 month action plan by April 2013.

For further information:

Please contact Nicola
Smith on 0151 691 8369 or
e-mail

nicolajsmith@wirral.gov.uk

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Equality Impact Assessment Toolkit (from May 2012)

Section 1: Your details

EIA lead Officer: Nicola Smith

Email address: Nicolajsmith@wirral.gov.uk

Head of Section: Derek Payet

Chief Officer: Surjit Tour

Department: Law HR and Asset Management

Date: 14.09.2012

Section 2: What Council proposal is being assessed?

TRADING STANDARDS EMPOWERMENT PARTNERSHIP

Section 2b: Will this EIA be submitted to a Cabinet or Overview & Scrutiny Committee?

Yes / No **If 'yes' please state which meeting and what date**

26th September 2012

Please add hyperlink to where your EIA is/will be published on the Council's website (see your Departmental Equality Group Chair for appropriate hyperlink)

<http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010/law-hr-asset-management>

Section 3: Does the proposal have the potential to affect..... (please tick relevant boxes)

- Services**
- The workforce**
- Communities**
- Other** (please state eg: Partners, Private Sector, Voluntary & Community Sector)

If you have ticked one or more of above, please go to section 4.

- None** (please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 4: Does the proposal have the potential to maintain or enhance the way the Council (please tick relevant boxes)

- Eliminates unlawful discrimination, harassment and victimisation
- Advances equality of opportunity
- Fosters good relations between groups of people

If you have ticked one or more of above, please go to section 5.

- No** (please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 5:

Could the proposal have a positive or negative impact on any of the protected groups (race, gender, disability, gender reassignment, age, pregnancy and maternity, religion and belief, sexual orientation, marriage and civil partnership)?

You may also want to consider socio-economic status of individuals.

Please list in the table below and include actions required to mitigate any potential negative impact.

Page 67

Which group(s) of people could be affected	Potential positive or negative impact	Action required to mitigate any potential negative impact	Lead person	Timescale	Resource implications
Disability, Age	The partnership will ensure people across all disabilities and those who are elderly have greater awareness of Trading Standards initiatives that provide protection to vulnerable consumers from becoming a victim of scams, rogue traders and unfair trade practices.			October 2012 to March 2013	Existing resources are being used
race, gender, disability, gender reassignment, age, pregnancy and	The developed action plan will identify priorities for the Trading Standards Service and improve communication with consumers which are hard to reach and are within the protected groups Improve the business relationships with			October 2012 to March 2013	Existing resources are being used

maternity, religion and belief, sexual orientation, marriage and civil partnership	consumers within the protected groups. Facilitate signposting to other support networks providing legal advice and assistance				

Section 5a: Where and how will the above actions be monitored?

Trading Standards will develop the action plan and use an appointed partnership co-ordinator to ensure actions are delivered. The action plan will be reviewed by the partners at bi-monthly meetings

Section 5b: If you think there is no negative impact, what is your reasoning behind this?

The partnership is set up to broaden the accessibility and awareness of the Trading Standards function

Section 6: What research / data / information have you used in support of this process?

Use of best practice from previous partnerships such as the Consumer Support Network and Community Legal Services Partnerships

Section 7: Are you intending to carry out any consultation with regard to this Council proposal?

Yes / No – (please delete as appropriate)

If 'yes' please continue to section 8.

If 'no' please state your reason(s) why:

No, the partners identified have agreed to participate in the partnership

(please stop here and email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for publishing)

Section 8: How will consultation take place and by when?

Before you complete your consultation, please email your preliminary EIA to equalitywatch@wirral.gov.uk via your Chief Officer in order for the Council to ensure it is meeting it's legal requirements. The EIA will be published with a note saying we are awaiting outcomes from a consultation exercise.

Once you have completed your consultation, please review your actions in section 5. Then email this form to your Chief Officer who needs to email it to equalitywatch@wirral.gov.uk for re-publishing.

Section 9: Have you remembered to:

- a) **Add appropriate departmental hyperlink to where your EIA is/will be published (section 2b)**
- b) **Include any potential positive impacts as well as negative impacts? (section 5)**
- c) **Send this EIA to equalitywatch@wirral.gov.uk via your Chief Officer?**
- d) **Review section 5 once consultation has taken place and sent your completed EIA to equalitywatch@wirral.gov.uk via your Chief Officer for re-publishing?**

WIRRAL COUNCIL

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE

26TH SEPTEMBER 2012

SUBJECT:	DECISIONS TAKEN UNDER DELEGATED POWERS
WARD/S AFFECTED:	ALL
REPORT OF:	INTERIM DIRECTOR OF TECHNICAL SERVICES
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR HARRY SMITH, STREETSCENE AND TRANSPORT SERVICES
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to inform the Committee, in accordance with the Approved Scheme of Delegation, of any instances where delegated authority has been used by the Director of Technical Services with respect to the appointment of contractors. In this case, the tender procurement process for the Refurbishment of Tower Road Bridges A & C.

2.0 BACKGROUND AND KEY ISSUES

2.1 Under the Approved Scheme of Delegation, the Deputy Director of Technical Services has used delegated authority to approve the appointment of the contractor as follows:

2.2 Contract Title: Refurbishment of Tower Road Bridges A & C

Contractor: Bethell Group PLC.

Contract Term 10 weeks

Contract Sum £287,093.97

2.3 The successful tenderer was appointed after a competitive tendering, and subsequent evaluation, process that was undertaken in accordance with the Council's Contract Procurement Rules.

3.0 RELEVANT RISKS

3.1 The tender process included a financial check on the contractor prior to appointment to provide assurance that the appointed contractor is financially secure.

4.0 OTHER OPTIONS CONSIDERED

4.1 None.

5.0 CONSULTATION

5.1 There are no specific consultation implications arising from this report.

6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

6.1 There are no specific implications arising directly from this report.

7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

7.1 The works are funded via Local Transport Plan Capital Programme Structural Maintenance Block, as approved by Cabinet on 12th January 2012 (Minute 252 refers).

8.0 LEGAL IMPLICATIONS

8.1 There are no specific implications arising from this report.

9.0 EQUALITIES IMPLICATIONS

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

(b) No, because there is no relevance to equality.

10.0 CARBON REDUCTION IMPLICATIONS

10.1 There are no specific carbon reduction implications arising from this report.

11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

11.1 There are no specific implications arising from this report.

12.0 RECOMMENDATION/S

12.1 That the report be noted.

13.0 REASON/S FOR RECOMMENDATION/S

13.1 To advise Committee in accordance with the Approved Scheme of Delegation.

REPORT AUTHOR: **Ged Herby**
Group Leader
0151 606 2320
email: gedherby@wirral.gov.uk

APPENDICES

None

REFERENCE MATERIAL

None.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet	12th January 2012

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Agenda Item 9

To: Chair and Members of the Sustainable Communities Overview & Scrutiny Committee

Date of meeting: 26th September 2012

Report of: Interim Director of Technical Services

Item:

To request that the Committee sets up a Member Task & Finish Working Group on the issue of “How can the Council’s STREETSCENE customer service approach better meet *Members’* needs”

Background:

The reasons, background, proposed scope and proposed terms of reference are set out in the attached paper and are self-explanatory.

The end of November timescale for completing the Task Group’s work is mentioned in the paper and reasons are given there for why this timescale is considered appropriate.

Decision sought:

The Committee is recommended to endorse the request in terms of the appended paper and to set up the Task & Finish Working Group accordingly.

Chris McCarthy
Interim Director of Technical Services

PAPER APPENDED

TOPIC FOR REVIEW

“How can the Council’s STREETSCENE customer service approach better meet *Member’s* needs”

Background to this Review

It has become clear from various feedback channels that many Members of the Council are seemingly dissatisfied with the service they receive from or through STREETSCENE.

This is of concern because the range of services and issues covered by the STREETSCENE approach represents the great majority of contacts received by the council from the public. They are also (as is common to any council) those issues which most concern Members in their capacities as Ward councillors.

There seems, however, to be a puzzling dissonance between the high, and sustained, measured levels of public satisfaction (which are regularly reported to the Committee) and what seems to be the total opposite of this as far as many Members are concerned. Clearly, this must be addressed and Members be given more confidence that the service is meeting what may be their distinctive needs. Hence the need for both a review and for direct Member input to help shape it for the future.

The purpose of this review is for Members, through this Working Group, to clarify just what *are* their concerns and to explain how and in what practical way the relevant STREETSCENE working practices might be changed better to suit *Members’* needs.

It is important for officers to fully understand Members’ viewpoint and distinctive needs before making changes. This Member led review is intended to give this understanding so that appropriate adaptations can be made where necessary.

(Note that this review is specifically targeted in relation to Members’ needs and is not a wider review of STREETSCENE in relation to the general public. That much wider context will be helpfully informed from the present Member-focused review but needs to be seen within a review of the wider customer service strategy of the Council as a whole).

Context

“STREETSCENE” is not of itself a distinct or budgeted department.

Rather, it is an approach (a “platform”, perhaps a “brand”) that attempts to give a more easily understandable single point of contact for customers making *requests for service, reporting problems or making complaints*, across a range of the Council’s outward facing public service departments.

Those customers include the general public and Council members.

The STREETSCENE range covers the following Council service areas:-

- Highway maintenance
- Street lighting
- Traffic management and parking
- Road safety
- Refuse collection
- Street cleansing, including fly tipping and dog fouling
- Parks and countryside

One purpose of the STREETSCENE approach is to reduce duplication, complexity and confusion in the way customer engagement is handled and to give a clear access channel to customers.

From an internal viewpoint, it provides a platform for requests and complaints to be handled more systematically by the respective department teams best suited to handle them. It thereby helps efficiency and enables better utilisation of staff and other resources than would be the case if direct contact points were widely spread across departments and individual officers.

Scope of the Review

The Review will be short-term and needs to be completed by the end of November 2012. Other than wishing to make early adaptations to STREETSCENE where these are needed better to support Members, the outcome of the Review would feed into the 2013/14 budget setting process. It would also help significantly to inform the design of the new, post-2014, Highways contract upon which work will by then have commenced and, later, a new refuse collection contract.

One immediate purpose of the Review is to ensure that officers clearly appreciate the Member viewpoint and needs. Another is to ensure that there is a good Member understanding of the practical issues facing STREETSCENE. Only by this mutual understanding can real progress be made in formulating a workable approach.

Working Group members would need to ensure, by canvassing the wider Member body within the Council, that those wider views are taken fully into account.

The Review and changes resulting from it remain bound by the Council's adopted policies for service delivery. Realistically, any changes stemming from the Review need to be mindful of the current and prospective financial and resource situation.

Terms of reference

- To identify those STREETSCENE issues and practices relating to enquiries, requests for service and complaints from Members that they

currently find frustrating, irritating or otherwise inhibiting in undertaking their councillor role effectively

- To assist in identifying changes to the current STREETSCENE operating approach that would help address those difficulties

SUSTAINABLE COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE – LIST OF FUTURE AGENDA ITEMS 2012/13

Title:	Department:	Comments/Justification:
<p>26 June 2012:</p> <p>Highway & Engineering Services Contract – 3rd Annual Review</p> <p>“Reducing the Council’s Carbon Footprint” Progress Update</p>	<p>Technical Services</p> <p>Law, HR & Asset Management</p>	<p>Progress report and formal presentation – items requested by Cabinet and O&S</p> <p>Corporate ‘goal’ annual progress report</p>
<p>26 September 2012:</p> <p>“Have a safe and well-maintained highway network for all users” – Progress Update</p> <p>Highway Maintenance Processes/ Treatments and National Pothole Review</p> <p>Street Lighting Connections – Progress Update</p> <p>Pavement and Verge Parking Review</p> <p>Notice of Motion “Increase Recycling” Response (including Levy Review progress update)</p> <p>Library Strategy</p> <p>Empowerment Partnership</p>	<p>Technical Services</p> <p>Technical Services</p> <p>Technical Services</p> <p>Technical Services</p> <p>Technical Services</p> <p>Finance</p> <p>Law, HR & Asset Management</p>	<p>Corporate ‘goal’ annual progress report</p> <p>Requested by Committee Members</p> <p>Progress Update</p> <p>Requested by O&S Committee</p> <p>Progress report</p> <p>Review of Library Strategy including evening opening hours</p> <p>New approach to link Trading Standards with communities</p>

Offshore Wind Power – Issues Paper	Regeneration, Housing & Planning	Requested by Committee Members
21 November 2012:		
SLA with UU re manholes - Update	Technical Services	Requested by O&S
Bridges Management	Technical Services	Raising awareness of the condition of the stock and progress in maintaining
Streetscene Enforcement Campaigns	Technical Services	Progress on campaigns and successes/ lessons learned
Parks Modernisation Programme	Technical Services	Progress report
Wirral Flood & Water Management Partnership – Progress Update	Technical Services	Progress report as requested by O&S Committee & to comply with legislation
Heritage Strategy - Progress Update	Technical Services	Progress report
Domestic Homicide	Law, HR & Asset Management	Report provided as part of the Committee's scrutiny function for the Community Safety Partnership
29 January 2013:		
Streetscene Environment Services Contract – Sixth Annual Review	Technical Services	Progress report & presentation on the strategic contract with Biffa
'Minimise waste by encouraging waste reduction and recycling' – Progress Update	Technical Services	Corporate 'goal' annual progress report
'Have high standards of environmental quality across Wirral' – Progress Update	Technical Services	Corporate 'goal' annual progress report

National Food Hygiene Rating Scheme	Law, HR & Asset Management	Progress report after the introduction of the new scheme
Tackling Dog Fouling	Law, HR & Asset Management	Progress report on topic raised as an issue by 8 of 11 Area Forums
Doorstep Crime	Law, HR & Asset Management	Progress report
12 March 2013:		
'Provide high quality, value for money leisure and cultural facilities for Wirral residents' – Progress Update	Technical Services	Corporate 'goal' annual progress report covering Sport & Recreation, Museums & Heritage and Floral Pavilion
'Provide and maintain high quality parks and opens spaces in partnership with local communities' – Progress Update	Technical Services	Corporate 'goal' annual progress report
Review of Golf Service	Technical Services	Review of service including control of income
Coastal Management Issues	Technical Services	Report to include Beach Management & control of grasses
Shellfish Farming – Progress Update	Law, HR & Asset Management	Progress report on shellfish farming
Wirral Approved Trader Scheme	Law, HR & Asset Management	Progress report on the development of the scheme

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