

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	Decision to reinstate Bulky Waste Collections.
<b>Cabinet Member:</b>	Cllr Osman Dervish
<b>SLT Lead:</b>	Barry Francis, Director of Neighbourhoods
<b>Report Author and contact details:</b>	Jacki Ager, ext. 3363, jacki.ager@haverling.gov.uk
<b>Policy context:</b>	Ensure Havering is kept Clean and Safe
<b>Financial summary:</b>	Havering normally receives a net income of £14.88 per collection. During the Covid-19 lockdown this has meant a net loss of approximately £892 per week, or £0.008m over the 9 weeks the service will have been inactive. Reinstatement of the service will be within existing waste service budgets, albeit an indirect impact of Covid-19 remains due to increased costs across other parts of the service.
<b>Relevant OSC:</b>	Neighbourhoods
<b>Is this decision exempt from being called-in?</b>	Yes – urgent decision, delay would seriously prejudice the Council's or the public interests.

**Non-key Executive Decision**

**The subject matter of this report deals with the following Council Objectives**

Communities making Havering	<input type="checkbox"/>
Places making Havering	<input checked="" type="checkbox"/>
Opportunities making Havering	<input type="checkbox"/>
Connections making Havering	<input type="checkbox"/>

## Part A – Report seeking decision

### DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

1. The outbreak of Covid-19 in the UK has impacted a significant range of private and public sector functions. Local Authorities across the nation have been managing services through a live emergency leading to a range of business continuity plans to be enacted. London is currently the worst affected part of the UK in respect of confirmed cases and the national requirement to introduce measures such as social distancing, self-isolation for those who are symptomatic and/ or with underlying health conditions for a period of 12 weeks. East London has seen significant staffing impacts in particular and is currently the only sub-region showing an average reduction of staffing levels to 60-80% category<sup>1</sup>.
- 1.1 Following an impact review with regards to service provision for the council's waste collection and disposal service a decision was taken at Theme Board on 23<sup>rd</sup> March 2020 to enact the Public Realm Waste Service Business Continuity Plan, should the need present itself, and additional Public Realm Coronavirus Business Continuity Plan. As a temporary measure the Council's bulky waste collection service was suspended and the enactment of the Public Realm Coronavirus Business Continuity Plan was expected to see this continue for the duration of the live emergency. This is in line with advice issued by Central Government on 7<sup>th</sup> April 2020, *Coronavirus (COVID-19): advice to local authorities on prioritising waste collections*.<sup>1</sup>
- 1.2 This paper considers the impacts of a reinstatement of bulky waste collections, and recommends to reinstate the bulky waste collection service from 1<sup>st</sup> June 2020 with a free bulky waste collection service to residents who are on the NHS shielding list.

### AUTHORITY UNDER WHICH DECISION IS MADE

2. **Part 3** [Responsibility for Functions] of the Council's Constitution:

Section 2 – Executive Functions

Section 2.5 – The following Functions may be delegated to individual Cabinet members by the Leader.

- (j) To consider and recommend plans in respect of the portfolio allocated.

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<sup>1</sup> <https://www.gov.uk/government/publications/coronavirus-covid-19-advice-to-local-authorities-on-prioritising-waste-collections/guidance-on-prioritising-waste-collection-services-during-coronavirus-covid-19-pandemic>.

**STATEMENT OF THE REASONS FOR THE DECISION**

- 3.** Bulky waste collections are a bookable service, with each customer paying a flat rate of £43 for the first 3 items, then £11 for each additional item. Collections are zonal, and carried out 5 days per week. Typically the service sees around a dozen collections per day. This level of collections is the capacity of bookings the service can manage with existing resources.
- 3.1** Serco's staffing resource has been steadily increasing throughout the Covid-19 Crisis, with a 60% turnout at its lowest level, to +90% at present. Whilst the service faces continued pressure due to increased household waste and garden waste tonnages, and therefore needs to rely, in part, on agency staff, the bulky waste service constitutes just a small element of the overall waste collection service, and its reinstatement is considered manageable under current conditions.
- 3.2** Customers also have other options for the disposal of bulky waste: taking it to Gerpins Lane Reuse and Recycling Centre, where they can dispose of their items free of charge, or contacting TCL Reuse, a local charity that will collect reusable bulky items free of charge. Currently TCL Reuse is closed until further notice. Gerpins Lane RRC was reopened on Monday 11<sup>th</sup> May and officers continue to monitor the situation.
- 3.3** Given Government guidance continues to centre on avoiding unnecessary journeys, the reinstatement of this service will provide residents with options to avoid leaving the house.
- 3.4** Customers that are currently on the NHS shielding list may find it challenging to take their large bulky waste items to the RRC given the need to stay home and away from other people in order to minimise the risk of contamination.
- 3.5** Appropriate PPE continues to be provided to Serco staff, along with manual handling guidance, to reduce the risk of contracting Covid-19.
- 3.6** Whilst contact centre staff will be either dealing with garden waste renewals, or redeployed to NHS Shielding calls, given the normal low numbers of bulky waste bookings, the impact on contact centre resource is considered to be minimal.
- 3.7** The service still runs a risk of resourcing pressures, due to the additional resource being employed to keep up with additional demand on regular household waste and recycling collections. The service is funding this additional resource, however, with Havering Grounds Maintenance crews assisting Serco on garden waste bin deliveries, this will relieve some pressure. Furthermore, whilst there may be a risk of the driver being diverted onto other service, this risk remains low due to Serco requiring HGV-qualified drivers on other services, whilst the bulky waste collection does not require this. To a certain extent, this protects the driver assigned to this service.

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- 3.8 The service has been asked to consider provision of free bulky waste collections to those residents on the NHS Shield list<sup>2</sup>. This could be offered to residents subject to a review in September 2020.
- 3.9 There are risks attached to demand levels outstripping resource levels and as such customers being subject to longer wait time for available booking slots.
- 3.10 It is anticipated that demand levels will be higher following the reinstatement of the service as people have been without options for some time.

### **OTHER OPTIONS CONSIDERED AND REJECTED**

- 4. **Continue suspension of the service:** Given Government guidance continues to centre around avoiding unnecessary journeys, the reinstatement of this service will provide residents with an option to avoid leaving the house. This service will therefore contribute towards the current drive for continued social distancing, therefore the argument to continue the suspension is a weak one.

### **PRE-DECISION CONSULTATION**

Leader, Lead Member.

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<sup>2</sup> <https://www.gov.uk/government/publications/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19/guidance-on-shielding-and-protecting-extremely-vulnerable-persons-from-covid-19>

**Non-key Executive Decision**

**NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER**

Name: Jacki Ager

Designation: Waste and External Contracts Manager

Signature:

Date: 13 May 2020

## **Part B - Assessment of implications and risks**

### **LEGAL IMPLICATIONS AND RISKS**

- 5.** This report seeks approval to reinstate bulky waste collection services previously suspended in connection with the covid –19 outbreak. The background is as set out within the body of this report and any appendices to it.
- 5.1** The Council has a general power under section 1 of the Localism Act 2011 to do anything that individuals generally may do, including to implement the arrangements proposed in this report. The Council has a general power under section 111 of the Local Government Act 1972 to do anything which is calculated to facilitate, or is conducive or incidental to the discharge of its function.
- 5.2** The Council is a local authority and a best value authority with duties and powers to make arrangements to secure continuous improvement in the way it exercises its functions, pursuant to Part I of the Local Government Act 1999.
- 5.3** The Council is a waste collection authority under the Environmental Protection Act 1990 (the “1990 Act”), with a duty to collect household waste. The 1990 Act does not prescribe the frequency of household waste collection. The Controlled Waste Regulations 2012, defines domestic bulk items as household waste, for the purposes of the 1990 Act, albeit of a kind which the Council may (subject to any necessary consultation) levy a charge for collection.
- 5.4** Under Section 2 – Executive Functions of Part 3 [Responsibility for Functions] of the Council’s constitution (the “Constitution”) and in particular, section 2.5(j) the relevant individual Cabinet members may by the Leader’s delegation, *“consider and recommend plans in respect of the portfolio allocated”*.
- 5.5** In the exercise of an executive function, the Council must comply with the principles of Part 2 [Articles of the Constitution], Article 9 - Decision Making, under which all decisions must be made: proportionately; after due consultation (where appropriate) and the taking of professional advice; with respect for human rights as set out in the Human Rights Act 1998 and having regard to the Council’s public sector equality duty; with the presumption in favour of openness; with clarity of aims and desired outcomes; after due consideration for the interests of residents and other stakeholders, and in accordance with the Policy Framework.
- 5.6** In exercising its functions, the Council must give due regard to its duties under section 149 of the Equality Act 2010; as outlined in the , “Equalities and Social Inclusion Implications and Risks” part of this report.

### **FINANCIAL IMPLICATIONS AND RISKS**

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- 5** During the service suspension there has been a financial pressure of £892 per week.
- 5.1** The offer of free bulky waste collections is expected to have a financial impact in the region of £15,000 based on current resourcing levels.

### **HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

- 7.** Havering has a duty of care towards its contract staff to ensure their work is carried out safely. This work is monitored, along with accompanying risk assessments.
- 7.1.** The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce – Serco will provide all staff to resource the recommendations.

### **EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

- 8.** The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:
- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
  - (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
  - (iii) Foster good relations between those who have protected characteristics and those who do not.
- 8.1** Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.
- 8.2** The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.
- 8.3** Reinstating the service ensures that residents have another normal outlet for disposal of their larger items.
- 8.4** Offering a free service to those on the NHS shield list provides an enhanced service to residents identified as being at greater risk of infection or complications resulting from contracting the Covid-19 virus.

### **BACKGROUND PAPERS**



**Non-key Executive Decision**

None
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**Non-key Executive Decision**

**Part C – Record of decision**

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

**Decision**

Proposal agreed

**Details of decision maker**

Signed

Name: Sue Harper

Cabinet Portfolio held: Environment

CMT Member title:

Head of Service title:

Other manager title: Assistant Director - Environment

Date:

**Lodging this notice**

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_