

Delegated Decisions by Cabinet Member for Growth & Infrastructure

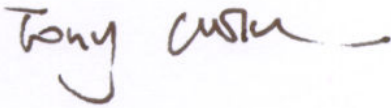
***Thursday, 15 July 2010 at 9.00 am
County Hall***

Items for Decision

The items for decision under individual Cabinet Members' delegated powers are listed overleaf, with indicative timings, and the related reports are attached. Decisions taken will become effective at the end of the working day on 23 July 2010 unless called in by that date for review by the appropriate Scrutiny Committee.

Copies of the reports are circulated (by e-mail) to all members of the County Council.

These proceedings are open to the public



Tony Cloke
Assistant Head of Legal & Democratic Services

July 2010

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Note: Date of next meeting: 2 September 2010

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

Items for Decision

1. **Declarations of Interest**

2. **Questions from County Councillors**

Any county councillor may, by giving notice to the Proper Officer by 9 am on the working day before the meeting, ask a question on any matter in respect of the Cabinet Member's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

3. **Petitions and Public Address**

4. **Van and Trailer Permit Scheme** (Pages 1 - 12)

Forward Plan Ref: 2010/099

Contact: Amy Howard, Waste Contracts Officer Tel: (01865) 815349

Report by Head of Sustainable Development (**CMDGI4**).

Division(s): N/A

CABINET MEMBER FOR GROWTH & INFRASTRUCTURE – 15 JULY 2010

VAN AND TRAILER PERMIT SCHEME

Report by Head of Sustainable Development

Introduction

1. The County Council provides eight Household Waste Recycling Centres (HWRCs) in Oxfordshire for householders to deposit waste free of charge. They are not for the deposit of trade waste by commercial enterprises.
2. All neighbouring counties currently have policies in place to prevent trade waste from entering the HWRCs. Some traders take advantage of the different charging regimes to deposit waste in Oxfordshire, which adds to disposal costs for Oxfordshire council tax payers.
3. This report proposes the introduction of a van and trailer permitting scheme comparable to those operated by neighbouring Authorities. This would allow genuine household waste to be disposed of at the HWRCs, whilst preventing abuse by commercial operators.
4. Oxfordshire Waste Partnership, Waste Collection Authorities (WCA) and HWRC contractors are supporting the scheme.

Policy

5. The aim of the van and trailer permit scheme is to restrict access of commercial vehicles, whilst not preventing genuine householders from accessing or depositing waste at the HWRCs. This will be achieved by a permit scheme where owners of vans and trailers are issued with a permit for a specified number of visits.
6. Householders who use a commercial type vehicle and/or trailer to dispose of their household waste will need to apply for a free permit in order to enter a HWRC. The scheme will not affect the majority of site users using the average family car and domestic trailers.
7. Twelve visits will be allocated annually. No re-issuing of permits will occur before the end of the twelve month period.
8. Annex 1 shows a full copy of the scheme including vehicle types, size restrictions, permitting requirements and administration of the scheme. Annex 2 indicates maximum permitted weights.

Policy Justification

9. Extensive research has been carried out on the scheme operated by other Waste Disposal Authorities. Hampshire County Council was identified as the most robust scheme in operation and the Oxfordshire scheme is largely based on this.
10. During the 2009/2010 financial year the average Oxfordshire dwelling produced approximately 1 tonne of rubbish. The scheme allows sufficient capacity for genuine householders, whilst preventing abuse of the system by traders.
11. OCC's customer satisfaction survey carried out in June 2009 identified that 64% of respondents use the HWRCs once a month or less. Therefore, 12 permits are set as the limit.
12. All five Oxfordshire Waste Collection Authorities are introducing more comprehensive kerbside collections for waste streams. OCC will advocate the use of these schemes and include communication about home composting, reuse and bulky waste collections.

Policy Implementation

13. The scheme will commence on 1 November 2010. Permit applications can be submitted from August 2010 but will not be posted out until October 2010.
14. A grace period of three months (1 November 2010 to 31 January 2011) will be in place, to allow householders time to acquire permits if they arrive at a site in a commercial type vehicle. They will be allowed to deposit genuine household waste but asked to contact the waste management group to acquire a permit prior to any future visits.

Communications

15. As part of the mobilisation of the project a comprehensive communication programme will be implemented from August 2010. The key message is that the scheme will ensure that Oxfordshire Council Tax payers do not fund the disposal of trade waste. Businesses and traders are contravening their Duty of Care with respect to waste if they do not dispose of trade waste correctly.

Project Benefits

16. The scheme will ease congestion and queuing times and reduce health and safety risks associated with larger vehicles and trailers. In addition, it will introduce control measures to manage trade waste and reduce the cost of associated waste disposal to Oxfordshire tax payers.

Project Risks

17. The estimated costs of savings are a prediction (based on an independent report by Resource Futures 2008) and are therefore not guaranteed.
18. Increased fly-tipping by traders or increased dumping of trade waste outside HWRCs. However, indications from other waste disposal authorities show that there is no direct correlation between the introduction of a permit scheme and fly tipping.

Financial and Staff Implications

19. There is an allocated start up budget of £100,000 and an ongoing revenue cost of £20,000 per annum to administer and maintain the scheme. These costs are included in the 2010 – 11 budget.
20. Cost savings of £100,000 per annum are budgeted for. However, due to the November 2010 start and 3 months grace period, savings are unlikely to be achieved by 31 March 2011. The cost savings are a conservative estimate and evidence suggests that the true cost of trade waste abuse at HWRCs in Oxfordshire is estimated to be in excess of £250,000. (Resource Futures report 2008).
21. During the implementation phase three additional temporary staff members will be required; two will take calls, maintain databases and issue permits and one will be dedicated to assist with communications.
22. No additional staff will be required after the scheme is implemented. Administration of the scheme will be managed by existing Waste Management Group staff.

Equality and Inclusion Implications

23. An equalities impact assessment has been carried out for the introduction of the scheme, and the policy and procedures reflect the outcomes.

Sustainability Implications

24. The scheme will further highlight the importance of waste and recycling management and the associated impact on the environment. The scheme is supported and complemented by waste collection authority services, and will reduce unnecessary journeys to transport waste.

Legal Implications

25. Under Section 51 of the Environmental Protection Act, Oxfordshire County Council has a legal duty to provide a free domestic waste disposal route

through at least one HWRC. The Council can introduce reasonable and proportionate measures to prevent abuse of such sites.

RECOMMENDATION

26. **The Cabinet Member for Growth & Infrastructure is RECOMMENDED to approve the Van and Trailer Permit Scheme for implementation in November 2010.**

CHRIS COUSINS
Head of Sustainable Development.
Environment & Economy

Background papers: Resource Futures report 2008

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21 June 2010

Van and Trailer Permit Scheme Policy Outline

Section 1: Permits

Householders who use a commercial type vehicle to dispose of their household waste will need to apply for a **free** permit in order to enter a HWRC from 1 November 2010.

Each permit will allow 12 visits in total per year. No re-issuing of permits will occur before the 12 month period has ended. A householder can choose when to use the permits, i.e. all in one month or spread over the year.

Although the permit allows a maximum of 12 visits per year, the permit is valid for 2 years. This is to cut out the administration burden at the end of the 12 months. There is no need to re-apply after 12 months if you have not used all your permit allocations.

The permit applies to the vehicle and not the waste. Therefore, even with a permit site staff will still be able to turn away anybody suspected of bringing in commercial waste.

Permits are being issued against the following criteria:

- vehicle registration
- household address

There will only be one permit issued to each address. If a household has more than one commercial type vehicle they will have to decide which vehicle is most suitable for their use. Vehicles can not be issued permits against multiple addresses. There is no distinction between, which householder drives the vehicle.

Normally, if a householder has access to a car, they will be encouraged to use this vehicle rather than apply for a permit. However, some households will have a small car or sports car and should not have to use these when they also have access to a van or trailer at home. The householder will be issued with a permit for their commercial type vehicle.

Householders who use horseboxes or trailers over 1.8 metres in length but less than 3 metres will be encouraged to visit the HWRC's during quieter periods. These will be publicised on the websites and at the HWRC's.

Householders without a permit for their commercial type vehicle will be turned away. However, a period of grace will run from 1 November 2010 to 31 January 2011, to allow a householder time to acquire a permit if they were unaware of the scheme.

Vehicle size restrictions

The HWRC have vehicle size restrictions currently in place due to Environmental Permit restrictions, manoeuvrability and health and safety restrictions.

The new policy on restricting vehicle size, type or weight is based broadly on the following existing policy at sites:

- Any vehicle over 3.5 tonnes when fully laden
- Trailers 3 metres in length.

Vehicles that will not require a permit

The scheme will not affect the majority of site users including the following vehicles:

- cars
- 4X4's (excluding pick up 4x4's, see definition below of a commercial vehicle)
- people carriers
- trailers with a length up to 1.8m
- specially adapted vehicles for disabled users – a dispensation letter will be provided by OCC, when approached by a householder
- camper vans – only camper vans up to the size of a transit van will be allowed on site.

Vehicles that will require a permit

Commercial vehicles are defined as those that are designed to carry goods, not people. They have no rear windows and/or no rear seats, and/or an open back, or a back, which is separate to the main cab area.

- any van that falls within the size requirements stated below;
 - no larger or longer than a long wheel base transit van
 - weigh under 3.5 tonnes when fully laden
- 4x4 pick up trucks
- Trailers over 1.8 metres in length, but less than 3 metres
- mini buses with 11 seats or less
- horseboxes: two horse trailers, 1.8 to 3 metres in total length.

Vehicles which are banned from using any HWRC site

- any vehicle larger or longer than a long wheel base transit van,
- trailer with a length of 3 metres or more
- box vans
- tipping mechanisms - the use of tipping mechanisms are banned on site, any vehicle that falls within the size restrictions above, can use the site, with a permit, but cannot operate any mechanical function whilst on site. Whether this is tipping or a tail lift mechanism.

- vehicles over 3.5 tonnes when fully laden
- mini buses over 11 seats or more
- camper vans larger or longer than a long wheeled based transit van
- horseboxes over 3 metres in length/ carry more than 2 horses.

Hiring a van or trailer?

Vans hired by a householder to deposit household waste, for a period of three days or less are permitted to enter the HWRC without a permit. The householder will be required to bring the hire purchase agreement with them and present it to site staff upon arrival. The restrictions on the vehicle sizes and weight still apply to gain entry to the site.

For vehicle hire periods over 3 days, the vehicle will not be allowed to enter the HWRC's. However, in circumstances where the origin of waste is proven to be genuine household waste a bespoke permit can be issued, to allow temporary access.

Non Oxfordshire residents

Permits will only be issued to Oxfordshire households.

Trade waste disclaimer forms

Trade waste disclaimer forms will continue to be used, where site staff cannot distinguish whether waste is the result of trade or domestic activity, as the vehicle is being permitted and not the waste. Records will be maintained and continue to be shared with the District Councils, in case enforcement action is required.

Excess garden waste

It is recognised by OCC that some properties in Oxfordshire have large gardens. However, it is believed, that the majority of keen gardeners home compost their green waste. Oxfordshire Councils strongly advocate home composting.

In addition to this, the capacity of the permitted vehicles allows for a significant quantity of garden waste as householders may choose to fill the trailer/van over a period of time during the peak garden season, (March to end September). 12 visits per annum provides more than once a month access onto the HWRC's for this purpose.

If a householder genuinely believes they require more permits, to accommodate large quantities of garden waste, a county council officer will advise on local district council kerbside collections and visit the householder to assess options for home composting in the first instance.

In exceptional circumstances, where a need is required, a bespoke permit will be issued with up to an additional 6 visits, stating clearly that the permit is for garden waste only. This would allow up to once a fortnight visit during the peak gardening season. No other waste stream will be given this bespoke dispensation.

Site rules

Householders will be asked to comply with the site rules and waste acceptance policy for the HWRC's in Oxfordshire.

Section 2: Monitoring and administration

The scheme will be administered by Oxfordshire County Council (OCC). The permits will be issued in the form of an A4 letter, the OCC logo will be holographic and the permit area will be laminated.

Monitoring to prevent illegitimate applications/ use of the permit will take place at 2 stages:

- via the application form by administration staff at OCC
- by site staff, using bar code scanners and ticket hole punchers

Upon arrival at site the permit will be requested by site staff, the bar code scanned and a hole punched into one of the visit boxes. The holes are punched to denote a visit has occurred.

The site staff will have mobile bar code scanners, with the site having a docking station for downloading information daily. The bar code number will be unique to each permit.

The bar code serves several purposes;

- To record a visit has been made by a householder. Downloaded information will be kept by OCC for monitoring purposes.
- Allows for automatic reissuing of permits at the end of the 12 month period. Further crosschecking will be done with the trade waste disclaimer forms and any disputes or dispensations over the 12-month period will have been recorded on the database. Ultimately this will save time on the phones, and postage, as people will not have to send back old permits before being issued with new ones.
- If a householder has lost their permit a bespoke permit can be issued for remaining visits.
- If a householder changes address, or there van/ trailer and hence there registration number, a bespoke permit, with the remaining visit numbers, can be supplied.
- Prevention of duplicated requests for replacement of lost or stolen permits, i.e. they continue to use the supposedly lost permit, after receiving a new one.
- Tracking any permits which have been copied or faked as replacement permits will be sent out via email, thus saving postage costs.

The data will be collected weekly by OCC officers. This is an alternative to Automatic Number Plate Recognition (ANPR), which is costly to install and has been shown to be ineffective as a monitoring and enforcement tool without proper staffing.

Frequently Asked Questions

1. What happens if I use a non permitted vehicle (i.e. a car) for work and I advertise on the side?

If a non permitted vehicle has signage advertising a 'commercial activity' on the side, front or rear, it will not require a permit.

However, the driver may be asked to fill in a trade waste disclaimer if the waste type is associated with the advertised activity i.e. a florist bringing in green waste to the HWRC.

2. What happens if I buy a new van or a new vehicle to tow my trailer?

If the vehicle type or registration number changes on either the van or trailer, the householder will need to post back the original permit, along with the details of the new van or trailer including the registration number. A new bespoke permit will be issued which will allow the householder to continue to use the HWRC, providing the new vehicle falls within size requirements. The bespoke permit will allow the householder to use the HWRC for the number of visits remaining on their previous permit for that year.

3. What happens if I move house?

If a permit holder moves house, it will be their responsibility to inform OCC. They will need to post back the original permit, along with the details of their new postal address. A new bespoke permit will be issued which will allow the householder to continue to use the HWRC. The bespoke permit will allow the householder to use the HWRC for the number of visits remaining on their previous permit for that year.

If a new permit request sent in for an address that has previously been issued with a permit, and the applicant states they are a new occupant, a cross reference check will be made to ensure that the householder or vehicle has not already been issued with a permit. They will be issued with a permit, as it is unfair to penalise someone for moving to a premises which previously had a permit. The previous permit registered against that address will be marked on the data base to ensure no more are issued, until that householder updates their details.

The table below shows the quantity of waste which could be deposited using 12 permit visits if the maximum load weight is utilised.

Vehicle/trailer type	Minimum pay load weigh	Maximum load weight	Number of visits per annum	Estimated weight possible against number of visits per annum
Transit type van – smallest and the largest van in the Transit range	0.930 tonnes	1.737 tonnes	12	11.16 to 20.84 tonnes
Trailer – internal bed length 1.98 metres.	n/a	0.344 tonnes	12	4.128 tonnes
Trailer - internal bed length 2.21 metres	n/a	0.557tonnes	12	6.64 tonnes
Trailer – internal bed length 3.08 meters	n/a	1.032 tonnes	12	12.38 tonnes

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