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22 February 2008

## **S U M M O N S**

**MEETING:** Community and Environment Board  
**DATE:** 3 March 2008  
**TIME:** 6.00pm  
**PLACE:** Committee Room 1, Town Hall, Gosport  
**Democratic Services contact:** Catherine McDonald

LINDA EDWARDS  
BOROUGH SOLICITOR

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### **MEMBERS OF THE BOARD**

Councillor Wright (Chairman)  
Councillor Mrs Wright (Vice Chairman)

Councillor Ms Ballard	Councillor Edgar
Councillor Carr	Councillor Kimber
Councillor Clinton	Councillor Philpott
Councillor Dickson	Councillor Smith

The Mayor (Councillor Gill) (ex officio)  
Chairman of Policy and Organisation Board (Councillor Cully) (ex-officio)

### **FIRE PRECAUTIONS**

(To be read from the Chair if members of the public are present)

**In the event of the fire alarm (continuous ringing) or controlled evacuation alarm (intermittent ringing) sounding, please leave the room immediately.  
Proceed downstairs by way of the main stairs or as directed by GBC staff, follow any of the emergency exit signs. People with disability or mobility issues please identify yourself to GBC staff who will assist in your evacuation of the building.**

**IMPORTANT NOTICE:**

- If you are in a wheelchair or have difficulty in walking and require access to the Committee Room on the First Floor of the Town Hall for this meeting, assistance can be provided by Town Hall staff on request

If you require any of the services detailed above please ring the Direct Line for the Democratic Services Officer listed on the Summons (first page).

**NOTE:**

- i. Members are requested to note that if any member wishes to speak at the Board meeting then the Borough Solicitor is required to receive not less than 24 hours prior notice in writing or electronically and such notice shall indicate the agenda item or items on which the member wishes to speak.
- ii. Please note that mobile phones should be switched off for the duration of the meeting.

## AGENDA

RECOMMENDED  
MINUTE FORMAT

### PART A ITEMS

1. APOLOGIES FOR NON-ATTENDANCE
2. DECLARATIONS OF INTEREST

*All Members present are required to declare, at this point in the meeting or as soon as possible thereafter, any personal or personal and prejudicial interest in any item(s) being considered at this meeting.*

3. MINUTES OF THE MEETING OF THE COMMUNITY AND ENVIRONMENT BOARD HELD ON 21 JANUARY 2008

*To approve as a correct record the Minutes of the meeting of the Community and Environment Board held on 21 January 2008 (copy herewith).*

4. DEPUTATIONS – STANDING ORDER 3.5

*(NOTE: The Board is required to receive a deputation(s) on a matter which is before the meeting of the Board provided that notice of the intended deputation and its object shall have been received by the Borough Solicitor by 12 noon on Thursday 28 February 2008. The total time for deputations in favour and against a proposal shall not exceed 10 minutes).*

5. PUBLIC QUESTIONS – STANDING ORDER 3.6

*(NOTE: The Board is required to allow a total of 15 minutes for questions from Members of the public on matters within the terms of reference of the Board provided that notice of such Question(s) shall have been submitted to the Borough Solicitor by 12 noon on Thursday 28 February 2008).*

6. PROJECT INTEGRA ANNUAL ACTION PLAN REVIEW 2008-2013

*To seek approval for the adoption of the Project Integra Annual Action Plan 2008-2013 for the Partnership. Approval is sought in accordance with the current and revised Constitution.*

Part II  
Contact Officer:  
Stevyn Ricketts  
Ext. 5282

7. ENVIRONMENTAL HEALTH ENFORCEMENT POLICY

*To consider the Environmental Health Enforcement Policy following the publication of the Regulator's Compliance Code under Section 22(1) of the Legislative and Regulatory Reform Act 2006.*

Part II  
Contact Officer:  
David Palmer  
Ext. 5509

8. LEASE OF LAND AND PAVILION TO BRIDGEMARY BOWLING CLUB

Part II  
Contact Officer:  
Mark Pam  
Ext. 5563

*To seek approval for the termination and regrant of a lease of land and buildings in Bridgemary Avenue to Bridgemary Bowling Club on the terms given in the report.*

9. CAR PARKING CHARGES

Part II  
Contact Officer:  
Borough  
Solicitor  
Ext. 5401

*For the Board to consider the evidence obtained by the Overview and Scrutiny Committee regarding car parking charges.*

10. ANY OTHER ITEMS

*which the Chairman determines should be considered, by reason of special circumstances, as a matter of urgency.*

**A MEETING OF THE COMMUNITY AND ENVIRONMENT BOARD  
WAS HELD ON 21 JANUARY 2008**

The Mayor (Councillor Gill) (P); Chairman of the Policy and Organisation Board (Councillor Cully) (ex-officio) (P), Councillors Ms Ballard, Carr, Clinton (P), Dickson (P), Edgar (P), Kimber (P), Philpott (P), Smith (P), Wright (Chairman) (P) and Mrs Wright (P).

It was reported that, in accordance with Standing Orders, notice had been received that Councillors Gill and Hicks would replace Councillors Ms Ballard and Carr respectively for this meeting.

**33. APOLOGIES**

Apologies for inability to attend the meeting were received on behalf of Councillors Ms Ballard and Carr.

**34. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**35. MINUTES**

RESOLVED: That the Minutes of the Board meeting held on 5 November 2007 be approved and signed by the Chairman as a true and correct record.

**36. DEPUTATIONS**

It was reported that no deputations had been received.

**37. PUBLIC QUESTIONS**

No questions had been received from the public.

**PART II**

**38. BOARD BUDGET 2008/2009**

Consideration was given to a report of the Financial Services Manager which considered the Board's revised 2007/08 and 2008/09 budgets, including the Board's fees and charges for 2008/2009 and capital programme, and recommended thereon to the Policy and Organisation Board for inclusion in the Council's overall budget proposals.

RESOLVED: That:

- i) the Board recommend to the Policy and Organisation Board its requirements for:

- the revenue budget (revised 2007/08 and estimate 2008/09)
  - the fees and charges for 2008/09
  - the capital programme 2007/08 to 2012/13; and
- ii) Subject to the above, Officers be authorised to proceed with the necessary variations to the parking order to increase parking fees and charges as included in the report.

### **39. WATERFRONT ZONING WORKING GROUP**

Consideration was given to a report of the Borough Solicitor which advised the Board of the recommendations made by the Overview and Scrutiny Committee regarding waterfront zoning at Stokes Bay and Lee-on-the-Solent.

The draft information leaflets for Lee-on-the-Solent Water Activity Zones and Stokes Bay Water Activity Information were discussed. Certain grammatical improvements and the inclusion of the Gosport Borough Council website beneath its logo were requested by the Board.

Concern was expressed that, in the past, Jet Ski users had moved buoys and reconfigured their user zone. Members were advised that, subject to the Board's approval of the zones, the correct positioning of the buoys would be shown on a notice to be placed on the Daedalus slipway, making it plain to users the exact boundaries of the different zones.

Members were also concerned that fuel canisters were being left on the Daedalus slipway. Barbeques were being used close to where craft were being refuelled and in close proximity to fuel cans. Also, disposable barbeque trays were being left lying around after use or, in some cases, being buried in the sand which last year had caused a burn injury to a child who fell on one.

It was pointed out that the Daedalus slipway was owned by SEEDA and that this type of activity should be drawn to their attention. Should fuel be ignited by the use of a barbeque then SEEDA, not Gosport Borough Council could be liable for any claim arising from such an incident. There was also concern that traders were gaining vehicular access to the beach area from this slipway.

Officers advised that the draft text before the Board had been prepared with guidance from the Safety Officer and additional rules could be included concerning the use of barbeques and the correct stowage of fuel canisters.

Members requested clarification on procedures for the enforcement of the rules and correct zone usage. It was confirmed that the MOD Police patrolled the water on behalf of the Queen's Harbour Master, as did the Waterborne Division of Hampshire Constabulary. Streetscene Enforcement Officers would liaise with ACSOs and the Community Police Support Officers in carrying out enforcement duties on the ground.

The importance of legally correct and informative signage on beaches was reinforced by the Council representative on Solent Sea Rescue. He advised that at a recent inquest, the Coroner had examined the information signs on the beach in question. He had requested confirmation as to whether the existing signs along Stokes Bay would be upgraded. The developing partnership with the Queen's Harbour Master in enforcing safe usage of the waters off Lee-on-the-Solent and Stokes Bay was very welcome and a representative from QHM now attended the Solent Sea Rescue meetings. He also congratulated Council Officers on effecting a successful prosecution of a jet skier who had flouted the rules.

Information was also requested on the legal situation regarding the gate across the road by Stokes Bay Sailing Club. The slipway was marked as a public slipway on the map but it could not be accessed unless the gate was opened.

The Leisure and Cultural Services Officer confirmed that as part of the Service Management Plan, the existing signs at Stokes Bay were due to be upgraded. Regarding the gate across the road by the Stokes Bay Sailing Club, he understood that this land had been leased to the Sailing Club by Gosport Borough Council. He would investigate the precise legal position regarding the gate and access to the slipway, although there was public access to the slipway via a ramp in the car park.

A Member stated that there was a sign near the GAFIRS slipway with an arrow pointing towards Gilkicker Point informing people that swimming was hazardous in this area. This was not made clear on the draft map. It was confirmed by the Leisure and Cultural Services Officer that the draft map would be altered to show this information.

RESOLVED: That approval be given to the recommendations made by the Overview and Scrutiny Committee regarding waterfront zoning at Stokes Bay and Lee-on-the-Solent subject to the following:-

- i) grammatical errors in the leaflets be corrected;
- ii) an approach be made to SEEDA regarding activities on and in close proximity to the Daedalus Slipway;
- iii) the use of barbeques, especially near to fuel sources, and their safe disposal be investigated and reflected in the information leaflets;
- iv) The legal situation regarding the gate over the road by Stokes Bay Sailing Club be investigated; and
- iiv) the Stokes Bay map to show that swimming is hazardous beyond the GAFIRS slipway around Gilkicker Point.

#### **40. HAMPSHIRE COUNTY COUNCIL ABANDONED VEHICLE CONTRACT**

Consideration was given to a report of the Environmental Services Manager that sought the Board's approval for Gosport Borough Council to sign up to the Hampshire County Council Countywide Abandoned Vehicle Contract.

In answer to a Member's question, it was confirmed that under the current contract a vehicle must be removed within 24 hours except at weekends. Under the new contract a vehicle must be removed within 4 hours except at weekends.

RESOLVED: That Gosport Borough Council be included in the Countywide Abandoned Vehicle Contract.

#### **41. INTRODUCTION OF 20 MPH SPEED RESTRICTIONS**

Consideration was given to a report of the Borough Solicitor requesting the Board to consider the evidence obtained by the Overview and Scrutiny Committee regarding the introduction of 20 mph speed restrictions.

The Chairman advised that Hampshire County Council had recently submitted a list of approximately 30 villages to the Police with the recommendation that 20 mph speed limits be introduced. The Police had supported the scheme for only 3 of the villages proposed.

Members were of the opinion that, although it was beneficial to slow traffic near schools when pupils were arriving and leaving the premises, the increase in traffic in the vicinity at these times often had the effect of slowing traffic anyway. There was no great need to slow traffic below 30 mph when pupils were in school. Also, in order to achieve 20 mph restrictions, it was usually a requirement to install other traffic calming measures such as speed humps which were expensive to install.

A motion was proposed and seconded not to adopt 20 mph speed restrictions in the Borough. The Chairman thanked the Overview and Scrutiny Committee for its work on this issue.

RESOLVED: That 20 mph speed restrictions be not introduced in the Borough of Gosport.

#### **42. WASTE MANAGEMENT STRATEGY**

The Chairman advised Members that he had an urgent item to put before the Board concerning the extension of the existing Refuse Collection contract. In view of this it was agreed not to consider the Waste Management Strategy at this meeting.

RESOLVED: That consideration of the Waste Management Strategy be deferred to a future meeting of the Board.

**43. CHAIRMAN'S URGENT ITEM – EXTENSION OF THE EXISTING REFUSE COLLECTION CONTRACT FOR A FURTHER 2 YEARS**

By reason of special circumstances, the Chairman determined that this item be considered at this meeting notwithstanding the fact that the item had not been available for public inspection in accordance with the provisions of Section 100B(4)(a) of the Local Government (Access to Information) Act 1985.

The special circumstances were created by the fact that if the contract were not extended then work would need to begin immediately on the necessary procurement processes in order to re-let the contract by March 2009.

Members were advised that the current refuse collection contract was due to end in March 2009. Officers had been considering the options open to the Council for the provision of this and other services and the Council had set up a Members' Working Group to consider such options.

As part of the shared services work currently being undertaken in Hampshire via Project Integra, a number of authorities had indicated a willingness to consider a joint contract for refuse collection. Work was currently underway to consider the benefits and financial implications of such a proposal.

The difficulty was that all the other authorities involved had contracts that were due to end in 2011. Therefore, if this Council were to award a new contract, even for a minimum period of 5 years, it would miss the opportunity to pursue this shared service option.

The present contractor had advised that they would be interested in a 2 year extension to March 2011 on the same terms and conditions as the existing contract. Whilst this would provide greater certainty for the Council in terms of costs, opportunities to improve recycling rates would be more limited. It would also be necessary to waive Contract Standing Orders in order for this extension to be agreed.

In answer to a question as to how consideration would be given to the Countywide contract, the Chairman advised that he understood a series of workshops would be organised for this purpose.

RESOLVED: That:

- i) the requirements of Contract Standing Orders be waived; and
- ii) the current contract for refuse collection be extended for a further 2 years.

The meeting commenced at 6.00 pm and concluded at 6.35 pm

CHAIRMAN

	<b>AGENDA ITEM NO. 6</b>
<b>Board/Committee:</b>	COMMUNITY AND ENVIRONMENT BOARD
<b>Date of Meeting:</b>	3 MARCH 2008
<b>Title:</b>	PROJECT INTEGRA ANNUAL ACTION PLAN 2008-2013
<b>Author:</b>	ENVIRONMENTAL SERVICES MANAGER
<b>Status:</b>	FOR DECISION

### **Purpose**

To seek approval for the adoption of the Project Integra Annual Action Plan 2008-2013 for the Partnership. Approval is sought in accordance with the current and revised Constitution.

### **Recommendation**

The Draft Annual Action Plan 2008-2013 be approved.

#### **1 Background**

- 1.1 The Annual Action plan is the mechanism by which the Board receives its mandate to work on behalf of the partnership. It also sets out the costs of running the Board and associated joint activities of the partnership.
- 1.2 Authorities may approve the Draft Action Plan unreservedly or may approve it subject to a reservation in respect of any particular matter that it has concerns with. Where approval is given subject to such reservation, the Partner Authority's voting Member is not entitled to vote on the matter in question when it is subsequently considered by the Board, and any resolution of the Board on the matter in question does not bind that Partner Authority.

#### **2 Report**

- 2.1 The Project Integra partnership continues to take a lead within the UK by maintaining a high level of waste diversion from landfill. Currently on target to divert 85% of waste material and achieve a municipal waste recycling rate of 40%, the continued growth in these results support the key targets and drivers of the English Waste Strategy 2007.
- 2.2 Driven by European policies and directives, the revised key targets published in the Waste Strategy during 2007 reflect those already in existence within the partnership:

New household waste recycling and composting national targets of at least

40% by 2010  
45% by 2015  
50% by 2020

New national targets for recovery of municipal waste  
53% by 2010  
67% by 2015  
75% by 2020.

- 2.3 There is one exception however, the requirement to reduce residual household waste arisings to 225kg per person in 2020. Gosport currently is amongst the lowest producers of waste per head of population in Hampshire, with a figure of 343.8 kg recorded in 06/07. To reduce this further will be challenging but could be achieved through a common approach.
- 2.4 Section 5 of the Action Plan identifies 5 strategic outcomes which will guide and focus the partnership's activities over the next 5 years. These are
- Sustainable Recycling  
Ensure progress towards meeting and exceeding the 40% recycling target in a sustainable way
  - Eliminating Landfill  
Eliminate the landfilling of waste. This reflects the scarcity of municipal landfill sites in Hampshire and the need to control steeply rising costs with the introduction of the Landfill Tax Escalator
  - Commercial Materials Management  
Focus more on dealing with commercial material alongside existing municipal waste in line with the Material Resources Strategy and the broader scope of the 2007 Waste Strategy for England
  - Efficiencies/Value for Money  
Deliver better value for money through greater efficiencies and partnership working in the context of the challenging 2007 Comprehensive Spending Review requirements
  - Leadership and Influence  
Focus effort on influencing behaviour in Hampshire through communication and education and at a national level through engagement with government and industry
- 2.5 Maintenance of existing activities will contribute to these strategy outcomes.

### **3 Risk Assessment**

- 3.1 It is a requirement of the Project Integra constitution that each Local Authority within the partnership adopts the Business Plan. Without Board approval the Council would be at risk of loss of benefits of the wider membership of Project Integra.
- 3.2 Adoption of the plan commitments Gosport to striving to obtain a 40% recycling rate by 2010. A significant review of service provision, working practices and resources are required to allow for production of an individual partner improvement plan that will set out the operational activities to achieve this target.

### **4 Conclusion**

- 4.1 It was agreed by all authorities present at the Project Integra Management Board Annual General Meeting held on 24 January 2008 to adopt the Draft Action Plan 2008 – 2013.

<b>Financial Services comments:</b>	<p>The Annual Action Plan proposes that the subscription for this authority in 2008/9 will be £14,053. This is based on the previous year's rate plus RPI.</p> <p>Income from the sale of recyclate processed through the MRF's in 2006/07 was £79348. Although dependant on global market trading, it is anticipated the level of annual income will remain at a similar level throughout the life of the plan.</p>
<b>Legal Services comments:</b>	
<b>Service Improvement Plan implications:</b>	Existing activities identified within the Service Improvement Plan support the desired outcomes of the Draft Action Plan.
<b>Corporate Plan:</b>	To work with other service providers and our community to share expertise, increase co-ordination and access funding to achieve improved service delivery. Improved recycling with less waste created.
<b>Risk Assessment:</b>	The Council is at risk of non compliance with the Project Integra Constitution should it not adopt the Business plan.
<b>Background papers:</b>	None.
<b>Appendices/Enclosures:</b>	Appendix 'A' Project Integra Draft Action Plan 2008 – 2013. Resource Management: Staying Ahead Without Costing The Earth.
<b>Report author:</b> <b>Lead Officer:</b>	Angela Benneworth (ext 5548) Stevyn Ricketts (ext 5282)

# Project Integra

## Action Plan

2008-2013

# **Resource Management: Staying Ahead Without Costing the Earth**

*Approved by  
Project Integra Strategic Board  
24 January 2008*



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## Executive Summary

Integra has delivered a world-class waste management infrastructure with the highest landfill diversion rate in the UK. However, the partnership is now working in an increasingly complex strategic environment involving waste and materials management linked to economic growth and energy security. The partnership has to continue to adapt and move forward in order to deliver resource management more sustainably as well as improving performance, efficiency and effectiveness under increasing financial pressures.

The key strategic drivers are:

- **The Waste Strategy for England 2007**, which introduces more ambitious national targets to exceed the Landfill Directive obligations and aims for 50% recycling and composting, 75% municipal waste recovery and to cut per capita levels of residual waste in half, all by 2020. Integra has exceeded the recovery target already, but will need to develop its infrastructure further to meet the recycling and waste reduction targets. The strategy also makes more explicit the Government's intention that local authorities should include commercial waste recycling in their activities, presenting a further challenge for Integra.
- **The 2007 Comprehensive Spending Review** which requires annual net efficiency savings of 3% until at least 2011 and the **Local Government White Paper**, which proposes a greater role for local authorities as place shapers and a duty to co-operate between councils and with other partners. Delivering additional infrastructure to improve recycling performance within this tight fiscal context will be a considerable challenge which will require greater partnership working to achieve. In addition, the confirmed increase in Landfill Tax from £24 to £48/tonne over the next 3 years, provides a major incentive to further reduce landfilling of Hampshire's waste.
- The recycling and sustainable development objectives of the **Hampshire Local Area Agreement** and **Partnership for Urban South Hampshire**
- The **Materials Resources Strategy** (MRS) for Hampshire which, amongst other things, aims to an overall recycling rate for all wastes of 60% by 2020 and Integra's **Joint Municipal Waste Management Strategy** which aims to deliver the relevant municipal elements of the MRS. These strategies are helping to inform the Hampshire **Minerals and Waste Development Framework** which will set the planning context for the delivery of new infrastructure in the county to meet these ambitious objectives.

The need for urgent action to mitigate the effects of climate change remains an important additional driver.

Accordingly, the Integra Action Plan sets out the strategic outcomes which the partnership aims to deliver over the next 5 years in order to meet its long term objectives within this wider context. Each strategic outcome contains a number of specific work streams which the partnership will deliver over the next 12 months:

<b>Strategic Outcome</b>	<b>Work stream</b>
<p><b>Sustainable Recycling:</b> Integra aims to deliver high level performance at an acceptable level of cost and environmental impact whilst maintaining public support and participation. Waste avoidance is also included in this strategic outcome</p>	<ul style="list-style-type: none"> <li>• Review of collection methods</li> <li>• Home composting</li> <li>• Food Waste</li> <li>• Garden waste</li> <li>• Targeting Contamination and Process Efficiency</li> <li>• Review of Market Opportunities</li> </ul>
<p><b>Eliminating Landfill</b> Integra is committed to the eventual elimination of landfill in the context of the sustainable resource management agenda, scarce local capacity and steeply rising costs</p>	<ul style="list-style-type: none"> <li>• Options for further waste treatment</li> <li>• Minerals and Waste Plan – Infrastructure planning</li> <li>• Review of HWRC trade waste controls</li> </ul>
<p><b>Commercial Materials Management</b> Integra is seeking to provide or facilitate capacity to capture commercial recyclables in line with the national waste strategy and resource management agenda and to attract investment and achieve economies of scale Action is dependent on Material Flow Planning to provide baseline data and infrastructure recommendations</p>	<ul style="list-style-type: none"> <li>• Deliver outcomes from the Material Flow Planning Process</li> </ul>
<p><b>Efficiencies/Value for Money</b> There is scope for joint working particularly in waste collection to achieve economies of scale such as optimising rounds and pooling resources</p>	<ul style="list-style-type: none"> <li>• Joint working projects</li> <li>• Sharing best practice and improving business processes</li> </ul>
<p><b>Leadership and Influence</b> Integra has been successful in influencing the national agenda, securing external funding and delivering behavioural change locally. However, the partnership must continue to invest time and resources in this key strategic outcome in support of the other elements of the action plan</p>	<ul style="list-style-type: none"> <li>• Education Programme/Community Engagement</li> <li>• Lobbying</li> </ul>

## Section 1 Introduction

Over the last 15 years, Project Integra has delivered an internationally recognised collection and processing infrastructure to ensure a more sustainable approach to the management of waste in Hampshire. Already, a 40% municipal waste recycling rate and an 85% landfill diversion rate are on target to be achieved by the end of the 2007/08 financial year.<sup>1</sup> However, much work remains to be done if the partnership is to provide a sustainable materials resources system and to minimise current and future cost pressures. In addition, the partnership needs to take account of the ever changing strategic context in which it is working and ensure that it rises to the challenge of the climate change and efficiency agendas which are at the heart of government policy.

This Action Plan sits alongside the Project Integra Constitution and the Hampshire Joint Municipal Waste Management Strategy (JMWMS), which are the three core documents that underpin the Project Integra partnership.

The purpose of this Action Plan is to

- Set out the strategic context in which Project Integra is working, at local, regional, national and international level and the links to the partnership's own strategic objectives
- Formally review progress made by the partnership over the past 12 months
- Provide a framework to assist in the delivery of Project Integra's key strategic objectives over the next 5 years, to March 2013
- Set out the key work streams to be delivered by the partnership over the 12 months to March 2009
- Outline the resources and performance management arrangements available to ensure delivery of those key work streams

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<sup>1</sup> Source: LAA Priority G Report to LAA Executive/Board Oct 07. Figures based on Apr – Jul 07 data

## Section 2

### Strategic Overview

The Project Integra partnership is required to operate within a complex political, economic, social and environmental context. The objectives of the partnership are governed both by a multitude of external factors, including European and UK Government policy, and by local initiatives such as Hampshire's Material Resources Strategy.

The Project Integra partnership can make a telling contribution to these agendas. The purpose of this section is to provide an overview of this strategic context in order to provide an outline of these main strategic drivers to inform Integra's key strategic objectives.

The key drivers are:

- Waste Strategy for England 2007
- Climate Change
- Lyons Inquiry
- Local Government White Paper
- Comprehensive Area Assessment (CAA)
- 2007 Comprehensive Spending Review (CSR07)
- Hampshire Local Area Agreement and Environmental Priorities
- Partnership for Urban South Hampshire (PUSH)
- Hampshire Materials Resources Strategy (MRS)
- Hampshire Joint Municipal Waste Management Strategy (JMWMS)
- Minerals and Waste Development Framework
- Local public, social and market pressures

These are outlined in more detail below.

#### 1. Waste Strategy for England 2007

The Government's strategic approach to waste management continues to be driven by European policy and directives. However, Integra has been able to significantly influence the debate in the UK and the first national waste strategy in 2000 was largely based on the principles and approach adopted by the partnership. The new Waste Strategy for England 2007 builds on the previous strategy by introducing the following key objectives:

- To decouple waste growth (in all sectors) from economic growth and put more emphasis on waste prevention and re-use; (This objective is in line with the primary objective of the **EU's Sixth Environment Action Programme**)
- To meet and exceed the **EU Landfill Directive** diversion targets for biodegradable municipal waste
- To increase diversion from landfill of non-municipal waste and secure better integration of treatment for municipal and non-municipal waste;

- To secure the investment in infrastructure needed to divert waste from landfill and for the management of hazardous waste
- To get the most environmental benefit from that investment, through increased recycling of resources and recovery of energy from residual waste using a mix of technologies.

The waste strategy embraces the principles contained in the waste hierarchy which gives priority to waste avoidance, re-use and recycling or composting, followed by energy recovery from any remaining residual waste and landfilling only as a last resort. This is summarized in the following diagram:



### Key Waste Strategy Targets

- To reduce the amount of household waste not re-used, recycled or composted from over 22 million tonnes in 2000 to 16 million tonnes in 2010 with an aspiration to reduce it to 12 million tonnes in 2020 – a reduction of 45%. This is equivalent to a fall of 50% per person (from 450 kg per person in 2000 to 225 kg in 2020).
- New household waste recycling and composting national targets of at least
  - 40% by 2010
  - 45% by 2015
  - 50% by 2020
- New national targets for recovery of municipal waste
  - 53% by 2010
  - 67% by 2015
  - 75% by 2020.

In most cases, Integra's ambitions already exceed the new national targets that have been set, with one important exception: the target to reduce residual household waste arisings to 225kg per person in 2020 represents a significant challenge.

There are 3 other elements to the Strategy that are influencing Integra's direction:

- Landfill Tax will rise from £24/tonne in 2007 to £48/tonne in 2010. This is a powerful driver to further reduce landfilled waste in Hampshire
- the requirement for local authorities to take a wider role, including helping local businesses to secure effective and appropriate waste and recycling arrangements
- possible future powers to provide incentives householders to reduce and recycle their waste (see section 2 below)

## **2. Climate Change**

One of the key drivers for change is a requirement to deliver significant reductions in carbon emissions. This is at the heart of the Government's Waste Strategy for England 2007.

In its 4<sup>th</sup> Assessment Report released in 2007, the Intergovernmental Panel on Climate Change issued a stark warning that urgent action is needed to both adapt to the effects of climate change that are already inevitable and to mitigate greenhouse gas emissions. The panel notes that sustainable development can enhance both our adaptive and mitigative capacity, reducing both our emissions and our vulnerability to climate change.

In addition, the panel notes that, while post consumer waste is a small contributor to global greenhouse gas emissions, the waste sector can positively contribute to greenhouse gas mitigation at low cost and promote sustainable development. The panel identifies a number of key mitigation practices and technologies currently commercially available, including

- landfill methane recovery
- incineration with energy recovery
- composting of organic waste
- recycling and waste minimisation

The Stern Report, commissioned by the UK Government and published in 2007, examines the economics of climate change and concludes that mitigation – taking strong action to reduce greenhouse gas emissions – must be viewed as an investment. In response the Government has expressed a commitment to address both the causes and consequences of climate change. The Climate Change Bill, which was introduced to Parliament on 14 November 2007, will create a new approach to managing and responding to climate change in the UK.

This Bill puts into statute the UK's targets to reduce carbon dioxide emissions through domestic and international action by at least 60 per cent by 2050 and 26-32 per cent by 2020, against a 1990 baseline. The Bill will have a greater direct impact

on the UK's emissions by, amongst other things, providing a power to pilot local authority incentives for household waste minimisation and recycling in 5 local authority areas.

### 3. The Local Government Agenda

There is a strong focus in local government on reducing costs through efficiencies, economies of scale and joint working in the local government sector. In addition, the role of local authorities as place shapers and key contributors to the well-being of citizens, the development of sustainable communities and partnership working are recurring themes

**The Lyons Inquiry** into local government identifies 4 areas where local government has a significant role to play

- providing safe and secure places to live
- helping to foster greater prosperity
- reducing our environmental impact by encouraging more sustainable lifestyles through engagement with citizens and performance of statutory functions.
- Addressing levels of public trust and satisfaction

**The Local Government White Paper** includes proposals for a new performance framework that will cut the number of national performance indicators to 200, and targets to around 50 and replace CPA with new assessment arrangements (see below). In addition, the White Paper proposes an enhanced role for councils as strategic leaders and place-shapers through stronger Local Strategic Partnerships and next-generation Local Area Agreements (LAAs) with wider scope and importance, and a duty to cooperate between councils and local partners

In 2009 **Comprehensive Area Assessment (CAA)**, which supersedes the Comprehensive Performance Assessment for local government continues to seek assurances from local authorities about how well-run local public services are and how effectively they use taxpayers' money. But CAA also aims to be more relevant to local people by focusing on issues that are important to their community. It will develop a shared view about the challenges facing an area, such as crime, community cohesion and a sustainable environment. CAA aims to provide the first independent assessment of the prospects for local areas and the quality of life for people living there.

This focus on outcomes for local people requires CAA to look across councils and others responsible for local public services, which are increasingly expected to work in partnership to tackle the challenges facing their communities

The need for a greater partnership approach is also echoed in the Government's **2007 Comprehensive Spending Review (CSR07)** which takes place in a tight fiscal context. The Government forecasts that Councils will comfortably exceed the efficiency requirements of the **Gershon Efficiency Review**. The recent three year Government funding settlement shows annual rises in funding at around 1%, This leaves a significant shortfall for local government to address which results in a need for significant savings in service costs and a reduction in the growth of service costs.

All public services will be required to achieve at least 3% net cash-releasing value for money gains per year between 2008-2011. The Government acknowledges that this will be challenging, but asserts that it can be done if local and central government fulfill their roles to maximise the potential of local services. Enhanced efficiency will be essential to maintain and enhance service quality in the years ahead, while staying within the resources to be allocated for the CSR07 period.

#### **4. Hampshire Local Area Agreement and Environmental Priorities**

The current Hampshire Local Area Agreement (LAA) has 8 priorities, one of which is to use material resources more efficiently (priority G). This priority has 3 targets:

- To reduce construction waste by substitution of recovered materials in new build development and major refurbishment. This involves the development of a common planning framework, progress towards which is being delivered in part by the PUSH Sustainability Group (see below)
- To increase recycling in the non municipal sector
- To increase recycling and reduce landfill of municipal waste. It is expected that the 35% recycling target for 2008/09 will be exceeded, with projected performance of 37%. In 2008/09, the target of restricting the amount of municipal waste landfilled to less than 15% is expected to be met

The current LAA ends in 2009 and prior to this there will be a new Hampshire Sustainable Community Strategy produced in the context of the Local Government White Paper. Under the proposal in the White Paper, this strategy, along with the Local Area Agreement, will form the central performance monitoring basis for HCC and its partners through the new Comprehensive Area Assessment.

Hampshire County Council and its partners have already agreed to adopt a new sustainable development goal and work has begun on detailing what this means and the priorities for improvement in achieving the following goal: 'Within a decade Hampshire will prosper without risking our environment'.

The revised LAA, which runs until April 2010, is to include a number of the new government national indicators. It is likely that the priority targets for the new LAA will focus on climate change mitigation and adaptation as well as including an agreed target for waste. Project Integra's role will be to contribute where appropriate to the new LAA, with a particular emphasis on the agreed waste target.

#### **5. Partnership for Urban South Hampshire (PUSH)**

PUSH is a formal partnership of eleven local authorities in South Hampshire. The main aim of PUSH is the delivery of a strategy for economic-led growth in the sub region between now and 2026, to make South Hampshire more prosperous, attractive and sustainable and offering a better quality of life.

PUSH aims to deliver a strategy for economic growth that is environmentally sustainable and the partnership has established a Sustainability Group to ensure

that the principles of sustainability will inform and determine the nature of key development proposals during the lifetime of the strategy. These principles include, amongst others:

- stabilisation and reduction in the use of resources;
- net self-sufficiency in resource recycling and waste handling;
- joint decision making on targets for resource usage and planning for resource management infrastructure;
- planning that takes into account necessary mitigation and adaptation measures with regard to climate change

Dealing with construction waste more effectively and ensuring much higher levels of recycling and minimisation of waste is a key priority for PUSH. Working with partners such as WRAP, PUSH has been developing best practice and putting in place appropriate policies in the Minerals and Waste Development Framework, to assist in achieving a more sustainable approach to resource use related to development activity.

The work of the Project Integra partnership supports the key PUSH objective of sustainable economic growth in the sub-region by ensuring the effective management of municipal and commercial materials.

## **6. Materials Resources Strategy (MRS)**

At the beginning of 2005 Hampshire County Council, Portsmouth City Council, Southampton City Council and Project Integra jointly facilitated the development of the Hampshire Materials Resources Strategy (MRS). The development process resulted in the publication of 'More from Less', a synopsis of seventeen months of stakeholder dialogue which articulates stakeholders' aspirations on issues related to natural resources, minerals and wastes. More From Less is intended as a primary reference point to guide and integrate 3 key work areas:

- Production of the statutory joint minerals and waste development framework
- Development of plans for managing municipal waste under Project Integra
- Implementation of societal change objectives via the Hampshire Natural Resources Initiative

In effect the MRS represents an extension to the Community Strategies in Hampshire with a focus on natural resources. Key themes from these Community Strategies include: protecting and enhancing Hampshire's environment, supporting Hampshire's economy, preparing for global warming, reducing the causes of environmental damage, minimising waste production, maximising recycling, re-use and composting through new practices and education and publicity campaigns, disposing of residual waste locally by sustainable means, improving urban design and combating fly-tipping.

'More from Less' identifies a number of outcomes which stakeholders wished to see delivered:

- Achieving behaviour change that maximises reuse, recycling and recovery
- Reducing overall year on year waste growth to 1% by 2010 and 0.5% by 2020
- Achieving an overall recycling rate of 60% by 2020 for **all** Hampshire's waste (not just household)
- Optimising the cost of recycling to public and private sectors
- Achieving net self-sufficiency in dealing with all waste arisings by 2016
- Maximising materials and energy recovery from unavoidable waste
- Reducing use of landfill for all waste materials to a minimum practicable level by 2020
- Reducing demand for new minerals to minimum practicable levels, with extraction of sand and gravel from land reduced as far as practicable
- New sites and facilities provided meeting needs in a sustainable efficient way;
- Providing a supportive policy framework and involving all sectors of the community in delivering solutions and change

More From Less identifies that a key issue for Integra is to maximise affordability and value for money for the council tax payers, including optimizing recycling performance across the PI partnership, and maximising cost efficiencies through economies of scale and joint working

## **7. Hampshire Joint Municipal Waste Management Strategy (JMWMS)**

The JMWMS has been produced by Integra with the vision that by 2020, Hampshire will have a world class and sustainable material resources system that maximises efficient re-use and recycling and minimises the need for disposal. It has been developed in the context of Hampshire's Material Resources Strategy. It is also closely linked to the Minerals and Waste Core Strategy (see below), as both have been developed in parallel, using 'More from Less' as a reference point and using similar sustainability objectives and appraisal techniques.

Aims of JMWMS:

- To deliver the relevant municipal elements of the Material Resources Strategy
- Win the support and understanding of the wider public
- Make access to recycling and related facilities a positive experience for residents and businesses
- Improve the understanding of, and contain the year on year growth in material resources generated by household consumption;
- Maximise value for money by considering the system as a whole;
- To provide suitable and sufficient processing facilities for existing and new material streams;
- Secure stable, sustainable and ethical markets for recovered materials and products;
- Ensure each partner clearly understands its roles and responsibility for delivery; and
- Meet statutory obligations and maintain Hampshire at the forefront of the waste to resources agenda.

JMWMS will deliver these aims using the following preferred approach:

**Collection** – Kerbside collection of dry mixed recyclables, glass and textiles; promote home composting and the use of food digesters; introduce chargeable kerbside green waste collections and facilitate the provision of enhanced waste electrical and electronic equipment (WEEE) ‘bring’ facilities at household waste recycling centres (HWRCs).

**Commercial Recycling** – Provide / facilitate collection and processing capacity to optimise the capture of recyclables from the commercial sector (recyclables that are similar in nature to those arising from the municipal waste stream).

**Waste Growth** – MRS and Regional Waste Strategy targets – reduce growth to 1% pa by 2010 and 0.5% pa by 2020.

**Treatment of Residual** – Thermal treatment (EfW) of at least 420 000 tonnes per annum with excess residual waste being sent to landfill in the short term and further treatment in the long term.

**Landfill** – Pre-process all household waste with residues only to landfill (and minimum organics to landfill).

JMWMS states that the Project Integra partners will seek to positively contribute to the achievement of the following MRS recycling and composting targets for all waste:

- 50% by 2010
- 55% by 2015
- 60% by 2020

## **8. Minerals and Waste Development Framework**

The Core Strategy of the Minerals and Waste Development Framework sets out a long-term spatial vision for minerals and waste planning in Hampshire and will contain the primary policies and proposals to deliver that vision:

“By 2020, Hampshire will have a world class and sustainable material resources system that maximizes both the efficient use of primary materials and the reuse and recycling of wastes, and minimises the need for disposal.”

The overall approach is based on principles of improving resource efficiency by improving the sustainable design of new building, progressively slowing the pace of waste growth and maximising the recovery of value from wastes prior to landfill.

As far as possible, waste will be managed near to where it is produced and in accordance with the waste hierarchy. Value will be recovered through technically advanced re-use, recycling and composting processes, or failing that, through the recovery of energy and / or materials from the waste. The amount of waste going to landfill will be very limited in quantity and biodegradable content.

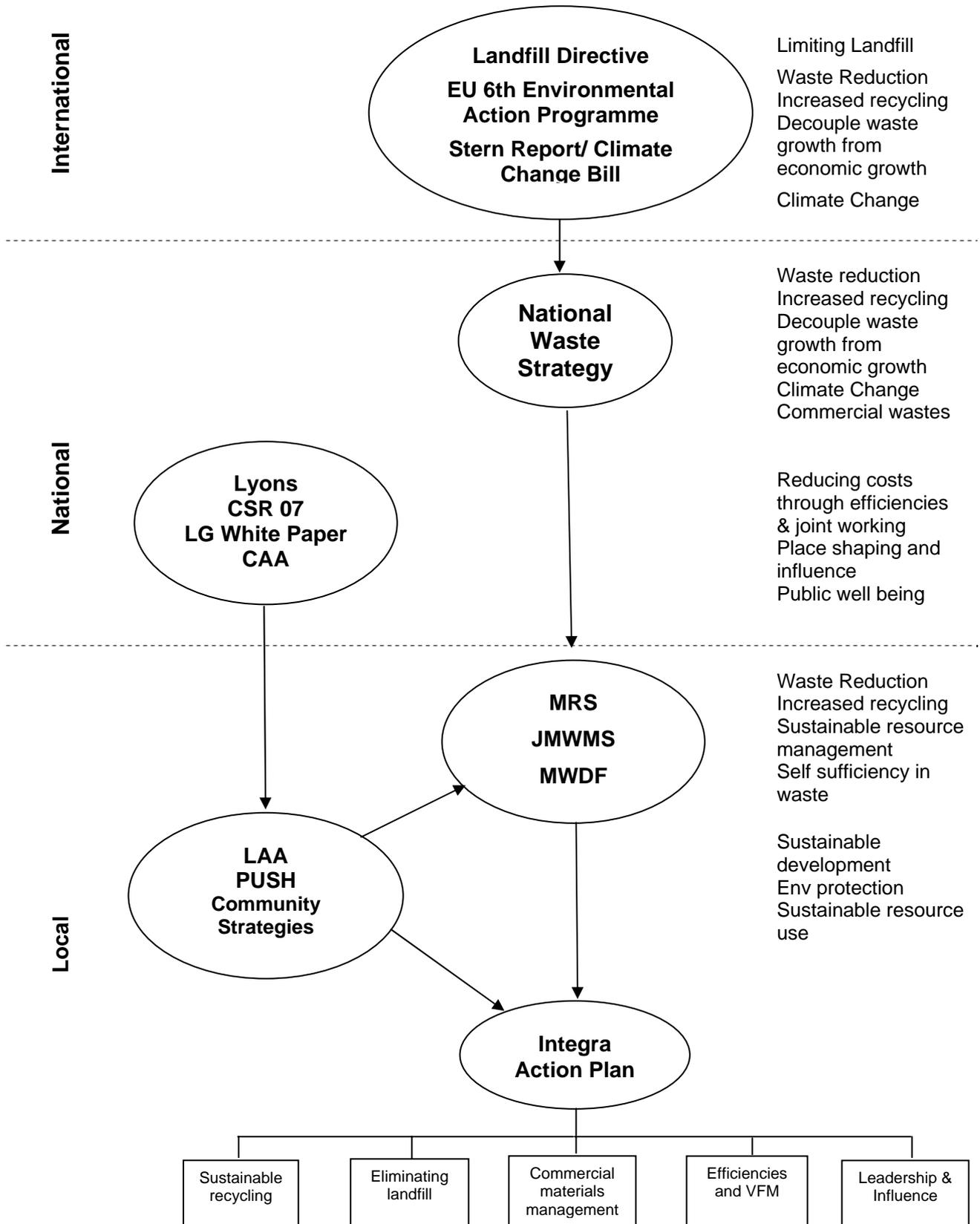
## **9. Local public, social and market pressures**

There remains continued pressure from the public in Hampshire to continue to increase the range of materials that can be recovered for recycling. Tetrapak recycling is a good example of the difficulties that this presents in terms of ensuring that the financial and sustainability issues are well understood by both the public and the media.

The partnership benefits from the sale of recyclables, the value of which is dependent on changing market conditions. The rapid economic growth of countries like China and India is having a global effect on resource use and commodity prices. This is stimulating the market for secondary raw materials but also pushing up fuel prices which is affecting the cost of transport and processing. The partnership will continue to monitor market activity and is committed to supplying high quality secondary materials in order to ensure sustainable markets and income.

The strategic context of the Integra Action plan is summarised in the diagram below:

## Integra Action Plan: Summary of Strategic Context



## **Section 3**

### **The Role of Project Integra**

The role of Project Integra is to provide a formal partnership approach and framework to deliver sustainable waste management in the context of Hampshire's Material Resources Strategy.

The key to Project Integra and its successes to date is the mutual support and co-operation that exists between all the partners and the delivery of sustainable management of municipal waste in Hampshire is dependent on the continuation of this close working.

In 2001 the partner authorities set up a Joint Committee (the Project Integra Management Board) in order to increase clarity, accountability and respond in a more effective and coordinated way to new challenges.

The effectiveness of the Board was reviewed during 2005/6 in parallel with the development of the Joint Municipal Waste Management Strategy (JMWMS). A number of important evolutions were agreed by the partner authorities and the constitution of the Board was amended. To underline its strategic, rather than operational, role the Board became the Project Integra Strategic Board. The Objectives of the Board mirror those in the JMWMS: to provide a long-term solution for dealing with Hampshire's household waste in an environmentally sound, cost effective and reliable way. Success in achieving this depends on joint working between all the parties in the best interests of the community at large.

To enable the partnership to address its strategic objectives in a coherent way, Integra needs to adopt a more corporate approach than it has done in the past and fully explore the benefits and added value that closer partnership working will bring in terms of streamlining decision making, reducing duplication and contributing to improved performance and efficiency.

#### **Integra Core Values**

- We are a partnership founded on the principle of collaboration. This approach has served Hampshire residents well for over 10 years and continues to be essential in a complex and fast-changing environment.
- We are a partnership that encourages two-way communication and where everyone has a say in what we do and how we do it.
- We explain to people why we do things, particularly when difficult or counter-intuitive decisions are made.
- We strive to be consistent in the messages we give to each other and to the wider community.
- We want to be seen as a leading example and therefore actively seek out and promote best practice.

- We aim to make objective decisions based on high quality, up to date data and we support our own research programme to assist with this.
- We see, and encourage everyone else to see, the matter we deal with as material and energy resources, not rubbish, refuse or waste.
- We encourage the view that dealing with these resources effectively is an issue for the whole community not just for particular organisations or individuals.
- We recognise the waste hierarchy and the proximity principle. Above all, however, we seek to achieve the *optimal* use of material and energy resources through a balance of the appropriate environmental, social and economic factors.
- To this end, we strive to produce and supply high quality materials for ethical and sustainable markets, where possible, in the UK.
- As a partnership, we accept that these core values can be challenged and changed, but only after significant and inclusive debate. They should be seen as a framework for moving forward in a consensual manner, not a barrier to progress.

## **Section 4**

### **Review of 2007/08**

#### **Performance and BVPIs**

Integra continues to make good progress towards achieving 40% recycling across the partnership and landfill has fallen to around 15% of waste collected by the partnership authorities. A more detailed breakdown of performance is provided in Appendix 1

#### **Project Delivery in 2007/08**

##### **1. Tackling Contamination of Dry Recyclables**

The Materials Analysis Facility (MAF) continues to analyse both recycling and residual streams, particularly in support of the continuing work to reduce contamination through the Behavioural Change Strategy and partners' own implementation plans (see below). An instant notification system was set up in the spring of 2007 to alert WCAs when a sample from one of their loads was identified to have over 10% contamination. This system has allowed authorities to attempt to identify the reasons behind the high contamination and put in measures to address them.

Data from the 268 samples of dry mixed recyclables analysed between May and July 2007 show that the overall contamination level has reduced from 9.66% to 7.28% and all Integra partners achieved the 10% contamination level target set for 2007/08.

##### **2. Reducing Landfill**

HCC continued to work towards reducing landfilled waste by improving infrastructure and contractual arrangements. Key achievements include:

- Construction of a new transfer station to enable delivery of New Forest DC residual waste to EfW incineration and away from landfill
- The introduction of a new contract for the management of HWRCs which will improve customer service, reduce trade waste abuse of the sites and provide clarity regarding waste acceptance
- New arrangements to process incinerator bottom ash with an estimated throughput of around 9,000 tonnes per month

### **3. Joint Working Opportunities**

A project has been established under the auspices of the Hampshire and Isle of Wight Improvement Board with the aims of

- identifying and quantifying in detail opportunities for efficiencies and cost-savings through joint working across all aspects of municipal waste management in Hampshire and the IoW.
- To report the findings to policy makers and provide advice to support strategic leadership and decision making in this area.

Key areas being investigated

- The current interrelationship of costs/benefits between WCA and WDA activities to provide transparency about the current position
- Potential to share client and/or contractor management and staff skills.
- Sharing of strategic officer resources – joint strategic planning reporting to two or more local authorities.
- Potential to share plant, equipment and premises.
- Joint Procurement opportunities including contracts.
- Innovative partnerships or other arrangements with 3<sup>rd</sup> parties such as producers, retailers or re-processors.
- Removing barriers to actually making things happen
- Governance, risk sharing and funding arrangements.

At the time of writing, the consultant's report outlining the business case has just been released. The next step beyond this project, which is included in the 2008/09 work programme is to assist partner local authorities to develop and implement plans to deliver efficiencies and cost-savings identified. This will be driven by the partners, with support from the project team and other Project Integra resources as appropriate.

### **4. Behavioural Change Strategy**

The Behavioural Change Strategy aims to improve both capture and quality of recyclable materials through activities such as a schools education programme and doorstepping and community engagement.

Three outreach officers were recruited to deliver the education outreach programme in around 90 schools from January 2007 onwards and build a sustained relationship with the participating schools.

Community Engagement is specifically targeted in those areas or rounds with high levels of contamination as identified by the Materials Analysis Facility and the programme has piloted techniques to address specific issues such as flats and high density dwellings, houses with multiple occupation and transient populations. The longer term aim is to capture 70% of available recycle with an average of less than 5% contamination across the county.

## **5. WRAP Home Composting Campaign**

WRAP (the Waste and Resources Action Programme) launched a campaign in 2004 to establish Home Composting as a sustainable and low cost method to divert organic municipal waste from landfill. Integra worked with WRAP on a county-wide scheme in 2007 to promote and distribute cost price home compost bins to householders. A total of 24,543 compost bins were distributed in 2007. WRAP estimates that households composting for the first time will divert 220kg of material out of the waste stream per year, and existing users who add another bin can be expected to divert a further 60kg per year. Accordingly, this level of take-up represents a diversion of around 2,800 tonnes of material, using WRAP's methods of calculation.

## **6. Material Flow Planning**

Material Flow Planning (MFP) is a practical research and analysis project being carried out by HCC Minerals and Waste Planning, HCC Waste and Resources and Project Integra. in order to plan the delivery of sustainable resource management infrastructure. MFP is designed to identify different materials in the waste stream, where they come from and where they go at present and what combination of recycling, composting and recovery options would provide the best option taking into account environmental, social and economic factors, and the wider resource market.

This process will result in clear recommendations on the waste and resource management systems and infrastructure that will be needed to collect, transport and treat all of Hampshire's waste in the most environmentally, socially and economically efficient way possible. In addition, it will provide details of facilities where new and extended capacity will be necessary and the broad locations of required sites.

This will form part of the evidence base for the Hampshire Waste Management Plan (part of the Hampshire Minerals and Waste Development Framework). This plan will identify sites and locations for managing Hampshire's resources in the future. The MFP process will also inform the next phase of development of Project Integra's waste collection and treatment systems and infrastructure.

Project consultants have completed work on validating the quality and robustness of the data regarding the quantities, types and locations of commercial and industrial waste in Hampshire

The project is now developing a number of scenarios based on the potential options for managing each material stream with a view to the future development of infrastructure and facilities.

This includes evaluating the scenarios against the following key factors:

- Cost
- Carbon benefit
- Deliverability
- Sustainable Communities

Evaluation of the scenarios will also take into account their contribution towards achieving recycling targets and diverting waste away from landfill.

An internal consultation and review, along with a technical review process are planned for the spring of 2008 and the preparation of a report and recommendations by the summer of 2008.

## **Section 5**

### **Strategic Outcomes**

Integra has identified 5 strategic outcomes which will guide and focus the partnership's activities over the next 5 years. These are

- Sustainable and Ethical Recycling
- Eliminating Landfill
- Commercial Materials Management
- Efficiencies/Value for Money
- Leadership and Influence

These strategic outcomes have been developed to take into account the strategic context in which Integra is working and specifically to

- Ensure progress towards meeting and exceeding the 40% recycling target in a sustainable and ethical way
- Eliminate the landfilling of waste. This reflects the scarcity of municipal landfill sites in Hampshire and the need to control steeply rising costs with the introduction of the Landfill Tax Escalator
- Focus more on dealing with commercial material alongside existing municipal waste in line with the Material Resources Strategy and the broader scope of the 2007 Waste Strategy for England
- Deliver better value for money through greater efficiencies and partnership working in the context of the challenging 2007 Comprehensive Spending Review requirements
- Focus effort on influencing behaviour in Hampshire through communication and education and at a national level through engagement with government and industry

Achievement of these outcomes will also contribute to the broader strategic goals of waste minimisation and the mitigation of greenhouse gas emissions from waste management activities in Hampshire

### **Sustainable and Ethical Recycling**

In order to reach and exceed its target recycling level of 40% by 2010, it is essential that Integra continues to develop sustainable collection and processing methods, maintain public support and seek new market opportunities. This strategic outcome is not about target chasing or recycling for its own sake at any price. Rather, sustainable recycling is an approach that seeks to balance high level performance on the one hand with cost, public acceptance and environmental impact on the other. Close attention needs to be paid to markets for secondary materials which affect both cost/affordability and environmental impact, the latter particularly related to road transport if markets are remote from Hampshire.

The key focus during the plan period will be on

1. Improving performance by
  - Maximising materials and market opportunities
  - Tackling contamination and ensuring efficient processing
  - Improving communication
  
2. Improving systems by
  - Reviewing collection methodologies
  - Reviewing Input specifications for dry mixed recyclables and green/bio waste
  - Assessing the impact on infrastructure
  - Assessing the impact on carbon emissions
  - Assessing the impact on costs
  - Seeking new markets for materials
  - Assessing the role of procurement

This strategic outcome also encompasses waste avoidance through home composting and food waste digestion.

## **Elimination of Landfill**

Integra is committed to the eventual elimination of landfill as far as this can be practicably achieved..

Landfill capacity in Hampshire is scarce with only one operational site currently available. In addition, the cost of landfill is set to increase substantially over the next 3 years with the introduction of the Landfill Tax Escalator on 1 April 2008. This will increase the level of Landfill Tax from £24/ tonne in 2007/08 to £48/ tonne by 1 April 2010. These two factors combined with the far reaching environmental consequences of landfill disposal are driving the partnership to develop further infrastructure options over the next year which can be pursued over the short to medium term.

Integra has the highest landfill diversion rate in the country and is on target to achieve 85% diversion by the end of March 2008, aided by two key developments:

- the completion of a new transfer station at the Blue Haze landfill site which will enable the diversion of around 8000 tonnes per year of New Forest District Council's residual waste to be sent to the Marchwood EfW incinerator.
  
- the shredding of non-recyclable waste from Household Waste Recycling Centres to make it suitable for EfW incineration. In 2008, 10-20,000 tonnes of material will be shredded and diverted from landfill to EfW plants.

In addition, a facility to process up to 80,000 tonnes a year of Incinerator Bottom Ash for use as a secondary aggregate is currently under construction.

New trade waste controls at Household Waste Recycling Centres being introduced in 2008 will also contribute to a reduction in waste to landfill.

Further measures will be considered in the context of the Material Flow Planning process which will provide detailed information regarding the different streams of material resources in Hampshire and put forward recommendations for the best way to manage those resources, integrating domestic, commercial and industrial waste. The MFP process will inform the delivery of targets and key requirements set out in the Hampshire Minerals & Waste Development Framework (MWDF) 'core' Planning Strategy and the Joint Municipal Waste Management Strategy for Hampshire (JMWMS).

## **Commercial Materials Management**

Local authorities have a duty to collect, process and dispose of domestic waste. This waste however represents only 19% of the total waste produced in the UK. Of the remaining waste streams by far the biggest proportion comes from the commercial and industrial sector.

Although councils are not directly accountable for commercial and industrial waste they do have a responsibility to provide local leadership to effectively influence markets for the benefits of their communities. This includes facilitating collection and processing to optimise the capture of recyclables from the commercial sector. Although not a duty there is an expectation through the Waste Strategy 2007 that local authorities will promote improved sustainable waste management services to small and medium enterprises across Hampshire.

The improved management of commercial and industrial waste will ensure a more environmentally sustainable economy. The certainties of supply from the municipal sector will also be attractive for private sector investors. Commercial material streams could also present opportunities for the delivery of the next generation of infrastructure through the release of private sector investment.

Accordingly, Integra is now seeking to provide or facilitate collection and processing capacity to optimise the capture of commercial/industrial recyclables. In addition, Project Integra is now seeking to facilitate and promote an improved sustainable waste management service to small and medium enterprises across Hampshire.

In order to deliver these objectives, a focus will be required on the following key areas during the lifetime of this action plan:

- Determining the waste volumes for the commercial and industrial sectors (Material Flow Planning)
- Assessing the feasibility of new services and infrastructure
- Developing common policies for the collection and handling of materials
- Producing marketing and information materials
- Infrastructure capacity planning

Initially, during 2008/09, the focus will be on delivering outcomes from the Material Flow Plan Process

## **Efficiencies/Value for Money**

As part of the 2007 Comprehensive Spending Review, councils are collectively required to achieve 3% cash releasing efficiency gains each year between now and the end of 2010/11. Greater partnership working has been identified as a critical lever in the efficiency agenda and Integra has a long history of successful collaboration at countywide level. However, there is further scope for joint working particularly in waste collection arrangements through economies of scale such as optimising rounds and vehicle fleets and pooling management resources and expertise.

The purpose of this strategic objective is to ensure that Integra remains focused on the efficiency agenda in order to deliver more for customers in a challenging financial context.

The rationalisation of Integra's approach through the adoption of common policies has a key part to play in delivering greater efficiencies and needs to be further investigated.

## Leadership and Influence

Integra has been successful in the past in influencing both public behaviour locally and at a national policy level. Having been acknowledged as a best practice example of partnership working in waste management, Integra has, to date, secured over £12m in direct Government funding to develop collection and processing infrastructure. However, it is vital that the partnership continues to invest time and resources in this key strategic outcome in support of all the other elements of the action plan

There are 2 key elements to this strategic outcome:

- Effective communication with the public, business community and other stakeholders locally, using a strategy founded on clear objectives and delivering consistent messages with one voice.
- Maintaining Integra's profile nationally, influencing the national policy debate, securing external funding and promoting the sustainable production and consumption agenda

Whilst public support for and participation in recycling has never been higher, there are still sections of the population which still lack basic knowledge, awareness and motivation. The focus of attention on education in schools must be broadened to encompass all generations and to include local community leaders and organisations in order to influence behaviour and move beyond recycling to deliver the resource management message.

There needs to be more effective engagement with Government and industry particularly to ensure that the waste minimisation agenda moves beyond the current rhetoric into delivery of real improvements. The role of the Integra Executive Officer and chair of the Strategic Board in delivering this engagement needs to be evaluated, strengthened and supported.

## Section 6 Key Work Streams

### 1. Sustainable and Ethical Recycling

Detail	Action by/timescale
<b>1.1 Review of collection methods</b>	
<p>This review is to be carried out in context of proposals to carry out MRF reconfiguration and maximise MRF efficiency (see also work stream 1.5 below) This work will link in to the Material Flow Planning Process, data from which will allow analysis of collection systems</p>	<p><b>Strategy Officers Core Group</b> to set parameters  A <b>Strategy Officers sub group</b> is to be established to conduct the review  April to Sept 2008</p>
<b>1.2 Home composting</b>	
<p>Home composting has a significant role to play in minimising waste and Integra partners have been involved in the large-scale distribution of subsidised and cost price home compost bins to householders for the past 15 years. This work is currently being carried out in conjunction with WRAP.</p> <p>The WRAP Home Composting Campaign has been extended from December 2007 to March 2008 and confirmation is awaited from WRAP on possible further extension into 2008/09.</p> <p>In the event that WRAP funding does not continue into 2008/09, options for an Integra managed and funded scheme will be brought to the Strategic Board</p>	<p>WRAP Liaison is carried out by <b>HCC Communications Team</b></p> <p>In the event of WRAP funding not continuing beyond March 2008, the <b>Integra Executive Officer</b> will bring a paper on the options for procurement, subsidy and funding for a home composting programme to the Board in mid 2008.</p>

<p><b>1.3 Food waste</b></p>	
<p>Tackling food waste represents an opportunity to deal with a significant proportion of the household waste stream and options are being evaluated on two fronts: the use of food waste digestion bins as a waste minimisation measure and the feasibility of collection and processing.</p> <p>A Food Waste Digestion Sub Group has been established to</p> <ul style="list-style-type: none"> <li>▪ oversee and co-ordinate the sharing of information from the various current and historical food waste digester trials in Hampshire.</li> <li>▪ evaluate the results of the trials</li> <li>▪ feed data to groups looking at Material Flow Planning and future strategic options.</li> <li>▪ develop recommendations for the Strategic Officer Group on future policy and investment in home digestion.</li> <li>▪ draft practical guidance for householders</li> </ul> <p>In addition, Eastleigh Borough Council and HCC are currently conducting a food waste collection trial and feasibility study</p>	<p><b>Food Waste Digestion Sub Group</b> Interim report due Spring 2008 and will be considered alongside outcomes from Material Flow Planning Process</p> <p><b>Eastleigh Borough Council/HCC</b> Report by July 2008</p>
<p><b>1.4 Garden waste</b></p>	
<p>A working group is to be established to review the input specification for composting sites and collection containers in light of renewed interest from WCAs in using wheeled bins for collection</p> <p>Key issues to be addressed will include:</p> <ul style="list-style-type: none"> <li>• implications for composting capacity and infrastructure</li> <li>• the potential impact on the quality of collected material and finished product as a result of using wheeled bins</li> <li>• the protection of established markets for Progrow soil conditioner</li> </ul>	<p>A paper is due to be presented to the <b>Strategy Officers Group</b> in early 2008. Strategy Officers will set the terms of reference for the new working group.</p> <p>A timetable has not yet been determined, but work will start in 2008.</p>

<p><b>1.5 Targeting contamination and process efficiency</b></p>	
<p>This work stream entails:</p> <ul style="list-style-type: none"> <li>• Continued use of MAF data to monitor contamination trends and target resources accordingly</li> <li>• Use of MAF to examine MRF residues and assess efficiency of processing</li> </ul> <p>Target: to reduce contamination levels in mixed dry recyclate to an average of 5%</p>	<p><b>MAF steering group</b> Monitoring of contamination will be an ongoing project for life of the action plan</p> <p>Examination of MRF efficiency: September 2008 to March 2009 (work programme and options to be brought to <b>Strategy Officers Group</b>)</p>
<p><b>1.6 Review of market opportunities</b></p>	
<p>Secondary materials markets are ever changing and Integra needs to monitor trends and changes and keep abreast of new developments.</p> <p>Sustainable recycling is heavily dependent on securing stable outlet for material and, therefore, it is timely to review all the market opportunities for dry recyclables</p>	<p><b>Materials Marketing Group</b> April to September 2008</p>

## 2. Eliminating Landfill

Detail	Action by/timescale
<p><b>2.1 Options for further waste treatment</b></p>	
<p>Specific tasks and objectives to be drafted and agreed for</p> <ul style="list-style-type: none"> <li>• Municipal wastes</li> <li>• Commercial &amp; industrial wastes</li> <li>• Most appropriate treatment methods</li> <li>• HWRC and other residual waste streams</li> <li>• The treatment of other wastes such as street cleansing and bulky household items</li> </ul> <p>This work is dependent on the outcomes of the Material Flow Planning project and will need to be considered in conjunction with partners outside Integra due to the implications for infrastructure, development planning and the need to link municipal and commercial waste streams.</p> <p>The options review will take into account affordable technology solutions including Combined Heat and Power, as well as the output from the feasibility study on food waste collection being produced by Eastleigh Borough Council.</p>	<p>This work stream will be delivered in partnership with PUSH, the Materials Resources Strategy Steering Group, the LAA and the Minerals and Waste Development Framework.</p> <p>The timescale will be in accordance with the timetable for the Development Framework and the Material Flow Planning project.</p>
<p><b>2.2 Minerals and Waste Plan – Infrastructure planning</b></p>	
<p>The Minerals and Waste Core Strategy was adopted in the summer of 2007. The next stages of the project include consultation on the Site Allocation Process and preparation of the Hampshire Waste Management Plan.</p> <p>The Material Flow Planning work currently being undertaken will form part of the evidence base for the Hampshire Waste Management Plan which will identify sites and locations for managing Hampshire’s resources in the future.</p>	<p><b>HCC</b> – to agreed timescale</p>

<p><b>2.3 Review of HWRC trade waste controls</b></p>	
<p>There is concern that the new controls on trade waste at HWRCs coming into effect in February 2008 may lead to an increase in flytipping. The current stats may not be reliable and need to be re-examined to establish a baseline for comparison.</p>	<p><b>Cleansing Officers Group</b> to examine fly tipping statistics prior to introduction of new controls and establish baseline figures by Spring 2008.</p> <p>Report to <b>Strategy Officers Group</b></p>

### 3. Commercial Materials Management

Detail	Action by/timescale
<p><b>3.1 Deliver MFP outcomes</b></p>	
<p>The Material Flow Plan (MFP) process being produced by Hampshire County Council aims to produce clear recommendations on the waste and resource management systems and infrastructure that will be necessary to collect transport and treat all of Hampshire's waste in the most environmentally and economically efficient way as possible.</p> <p>The evidence base includes both municipal and Commercial &amp; Industrial waste arisings in Hampshire.</p> <p>Once the MFP process has been completed, there will be a clear picture of the nature and extent of commercial materials in the waste stream in Hampshire along with recommendations for managing them.</p>	<p><b>Hampshire County Council.</b> An implementation plan will be determined once the outcomes from the Material Flow Planning process are known.</p> <p>Timescale: July 2008</p>

## 4. Efficiencies/Value for Money

Detail	Action by/timescale
<b>4.1 Joint working</b>	
<p>In 2006, the HloWGLA approved a report from the Hampshire Chief Executives' Working Group on Project Integra. This supported the objective of seeking opportunities for groups of authorities to work more closely together.</p> <p>Joint working is being considered by three groups of authorities:</p> <ul style="list-style-type: none"> <li>• Joint working on core refuse and recycling services within Basingstoke and Deane, Hart, Havant, East Hampshire, Winchester and Portsmouth ("option 5")</li> <li>• Joint working on peripheral services within New Forest, Test Valley, Southampton, Gosport and Eastleigh ("option 3")</li> <li>• Rushmoor Borough Council is in detailed discussions with Surrey Heath regarding closer working and joint refuse and street cleansing contract procurement</li> </ul> <p>Integra is not directly supporting the project financially or overseeing its delivery, but is playing a supporting role in the process mainly through the use of Strategy Officer time and expertise</p>	<p>Officers from the "option 5" and "option 3" groups will be responsible for delivering recommendations made from the initial business case.</p> <p>Agreement in principle on joint working should be reached by September 2008. Final agreement to proceed is not required until early/mid-2009, ahead of the start of contract procurement in July 2009</p> <p>Timetable:</p> <p>To July 2008: Business case refinement and consultation</p> <p>September to October 2008: Local analysis and decision making</p> <p>October 2008 to July 2009: preparation of contract specification and tender documents</p> <p>July 2009 to June 2010: Contract procurement</p> <p>July 2010 to March 2011: Final implementation and handover</p>
<b>4.2 Sharing best practice and improving business processes</b>	
<p>A review and re-assessment of all Integra sub groups and working groups and their terms of reference will be carried out to ensure clear accountability, communication and reporting, avoidance of duplication and best use of resources</p>	<p><b>Integra Executive Officer</b> By Summer 2008</p>



<p><b>5.1 Education Programme/Community Engagement (continued)</b></p>	
<p>This work will also include a review of how Integra can make the most of the national “Love Food Hate Waste” campaign being co-ordinated by WRAP. Since it is estimated that around one third of food is thrown away by British households, adding up to 6.7 million tonnes a year, a successful campaign has the potential to make a significant contribution to waste minimisation.</p>	
<p><b>5.2 Lobbying</b></p>	
<p>In the past, Integra has been highly successful in influencing and shaping the national debate and in securing external sources of funding.</p> <p>This lobbying role needs to be re-invigorated and to encompass</p> <ul style="list-style-type: none"> <li>• MPs, MEPs, national organisations and government bodies</li> <li>• Regional groups</li> <li>• Industry sectors, particularly the packaging industry</li> <li>• Local community leaders</li> </ul> <p>This element of Integra’s work is to be considered as part of a broadened strategy for communications</p> <p>The role of the Integra Executive Officer and other senior strategy officers within Integra in this work stream will also be taken into account</p>	<p><b>HCC Communications Team</b>  Timescale: by end 2008 as part of full scale review of all communications activities referred to above</p>

## **Section 7 Resources**

### **Project Integra Accounts and Reserves**

Project Integra holds £16,000 in reserves to support any future staff recruitment and appointment.

### **Subscriptions for 2008/09**

Subscriptions will be held at the same level as the previous year plus an RPI figure. The details of subscriptions are shown in table 1 below.

### **Project Fund**

A total of £150K project funding will be allocated to the Behavioural Change Strategy in 2008/09.

### **Income from the Sale of Recyclables**

Income from the sale of materials is split 50:50 between HWS and the WCAs according to the tonnage of material delivered for processing. Table 2 shows the actual income from sale of recyclate in 2006/07. The level of income has been rising considerably each year:

2004/5	£ 553,000
2005/6	£ 921,000
2006/7	£1,758,000

This is partly a reflection of the increase in recycling tonnages collected by partners but also the state of the market for recyclable materials, and a reduction in contamination, have boosted prices per tonne.

### **External resources**

The Efficiency Through Joint Working Project is funded by the Hampshire and Isle of Wight Improvement Board. £200K is allocated in the draft 2008/11 Improvement Plan for project management, logistic and technical support. A further £105K has been sought from the Emerging Themes Fund.

## RESOURCES – TABLE 1

### Project Integra - Funding the Executive – 2008/09

#### Contributions from LA's - based on rate per 1000 population

	<u>Collection</u> <u>08/09</u> £ <u>86.57</u>	<u>Disposal</u> <u>08/09</u> £ <u>19.88</u>	<u>08/09</u> <u>Total</u>	<u>Population</u>	<u>Project</u> <u>Funding</u> <u>£97.37</u>	<u>Total</u> <u>Funding</u>
Basingstoke	13,211.00	0.00	13,211.00	152,600		
East Hampshire	9,471.00	0.00	9,471.00	109,400	14,858.00	28,069.00
Eastleigh	10,068.00	0.00	10,068.00	116,300	10,652.00	20,123.00
Fareham	9,358.00	0.00	9,358.00	108,100	11,324.00	21,392.00
Gosport	6,614.00	0.00	6,614.00	76,400	10,525.00	19,883.00
Hart	7,237.00	0.00	7,237.00	83,600	7,439.00	14,053.00
Havant	10,120.00	0.00	10,120.00	116,900	8,140.00	15,377.00
New Forest	14,674.00	0.00	14,674.00	169,500	11,382.00	21,502.00
Portsmouth (WCA/WDA)	16,180.00	3,716.00	19,896.00	186,900	16,504.00	31,178.00
Rushmoor	7,869.00	0.00	7,869.00	90,900	18,198.00	38,094.00
Southampton (WCA/WDA)	18,838.00	4,326.00	23,164.00	217,600	8,851.00	16,720.00
Test Valley	9,514.00	0.00	9,514.00	109,900	21,187.00	44,351.00
Winchester	9,289.00	0.00	9,289.00	107,300	10,701.00	20,215.00
HCC	0.00	24,667.00	24,667.00	1,240,800	10,447.00	19,736.00
HWS			4,069.00			24,667.00
	<b>142,443.00</b>	<b>32,709.00</b>	<b>179,221.00</b>		<b>160,207.50</b>	<b>4,009,429.00</b>

## RESOURCES – TABLE 2

<b>MRF Income Projections for 2007/08</b>							
	<b>Actual</b>	<b>Projected</b>	<b>Projected</b>		<b>Actual</b>	<b>Projected</b>	<b>Projected</b>
	<b>Tonnes</b>	<b>Tonnes</b>	<b>Total</b>		<b>Income</b>	<b>Income</b>	<b>Total</b>
	<b>to</b>	<b>Nov to</b>	<b>Tonnes</b>		<b>to</b>	<b>Nov to</b>	<b>Income</b>
	<b>Oct-07</b>	<b>Mar-08</b>			<b>Oct-07</b>	<b>Mar-08</b>	
Basingstoke	6,515	4,654			117,731		
East Hants	5,600	4,000	11,169		69,807	7001	187,538
Eastleigh	5,693	4,067				61,000	161,195
Fareham	5,393		9,600		101,194		163,879
Gosport	3,329		9,760		102,879		
Hart	4,490	3,852	9,246		97,458	57,786	155,243
Havant	5,957	2,378	5,707		60,158	35,670	
New Forest	7,720	3,207	7,697		107,638	48,108	129,231
Rushmoor	3,543	4,255	10,212		81,128	63,822	171,460
Test Valley	5,565		13,234		139,498	82,713	222,210
Winchester	5,331	2,531	6,074		64,025	59,630	101,008
Portsmouth	6,550	4,679	9,541		100,567	37,963	101,008
Southampton	8,317	3,808	9,138		96,327	57,115	153,442
		5,941	11,229		118,367	70,184	188,550
			14,258		150,287	89,110	239,397
<b>Total MRF Income 2007/08</b>							
	<b>74,004</b>	<b>52,860</b>	<b>126,864</b>		<b>1,337,256</b>		
<b>Unit Rate</b>					18.07	<b>792,902</b> 15.00	<b>2,130,159</b> 16.79

## Section 8

### Targets and Performance

The new performance framework for local government is outlined in the White Paper *Strong and Prosperous Communities* and focuses on improving quality of life and better public services. It brings together national standards and priorities set by Government with local priorities informed by the vision developed by the local authority and its partners. A clear set of national outcomes and a single set of national indicators by which to measure progress against them are a key building block for the new framework.

Accordingly, the Government has announced a new single set of 198 national indicators for English local authorities and local authority partnerships, 3 of which are particularly relevant to Integra:

- NI 191 Residual household waste per head
- NI 192 Household waste recycled and composted
- NI 193 Municipal waste landfilled

As a result of the consultation process, the Government has announced that it proposes that metals as well as other incinerator residues that are sent for recycling would count towards the numerator for the new household waste recycled/composted indicator (NI 192). If this change goes ahead, it will have a significant and positive impact on Integra's published performance figure and it would be appropriate for Integra to review its recycling targets accordingly. The new indicators will be finalised in February 2008 and will come into effect from 1 April 2008.

As far as national waste targets are concerned, the Government announced a new set of more ambitious national targets for recovery and recycling in the Waste Strategy for England 2007:

- To reduce the amount of household waste not re-used, recycled or composted from over 22.2 million tonnes in 2000 to 15.8 million tonnes in 2010 with an aspiration to reduce it to 12.2 million tonnes in 2020 – a reduction of 45%. This is equivalent to a fall of 50% per person (from 450 kg per person in 2000 to 225 kg in 2020).
- New household waste recycling and composting national targets of at least
  - 40% by 2010
  - 45% by 2015
  - 50% by 2020
- New national targets for recovery of municipal waste
  - 53% by 2010
  - 67% by 2015
  - 75% by 2020.

Integra has already achieved the national recycling target for 2010 and the 2020 national recovery target but currently has no target for reducing levels of residual waste below 250kg by 2010. This needs to be reviewed.

### **Integra Headline Targets**

<b>Description</b>	<b>Target level</b>	<b>Achieve by:</b>
1. kg residual waste / head / year	250 kg / head / year	2010
2. Kg head arisings (BVPI 84)	500 kg / head / year	2010
3. Landfill diversion	85% / 90 %	2010 / 2012
4. Average contamination input MRF	5%	2010
5. Capture of available recyclate	70%	2010
6. Overall recycling rate	%	2010
7. Overall composting rate	%	2010

Integra's performance, measured by the 2006/07 national Best Value Performance Indicators, is summarised in the table in Appendix 1

A report on the partnership's progress and performance in delivering the work streams outlined in this Action Plan will be presented to each meeting of the Integra Strategic Board and Policy Review & Scrutiny Committee as the basis of a performance management framework to be implemented over the next 12 months.

Each Integra partner will be invited to produce their own implementation plan for the 2008/09 financial year which will be added as appendices to the Action Plan once they have been completed and approved.

## Section 9 Risk Management

The table below sets out an initial assessment of the main risks to the delivery of the work streams in this action plan and the actions or processes in place to mitigate those risks.

<b>Risk Description</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Actions Proposed/Taken to Reduce Risk</b>
1. There are inadequate resources to meet all priorities that have been identified.	Medium	High	The Integra Executive Officer is to carry out a review of all Integra sub groups and working groups and their terms of reference to ensure clear accountability and delivery of objectives.
2. Appointment of a permanent Integra Executive Officer. There is a risk that the recruitment process will not identify the best candidate for this key position.	Low	Medium	There is a robust recruitment process in place which involves senior Integra officers and elected members.
3. Loss of influence and leadership in the national context.	Medium	High	The success of Integra in this context is dependent on clear communications and education. The development of a clear and robust communications strategy will improve the prospects of delivering Integra's objectives in this arena.
4. Poor internal communication, leading to reduced efficiency and effectiveness.	Medium	High	The sharing best practice/ improving business processes work stream is designed to improve internal communications and ensure a consistent approach is delivered.
5. Health and Safety concerns over handling practices for sack and bag waste collection may lead to change in current policy and operating practices.	Medium	High	Proactive approach to Health and Safety including robust risk assessment and management, engagement with HSE and involvement of the Combined Approach to Health and Safety Group.

## Section 11 Conclusion

Integra has been recognised as a model for partnership working to deliver more sustainable waste management. However, the partnership is working in an increasingly complex strategic context and must continue to adapt and move forward in order to deliver sustainable resource management and improve its performance, efficiency and effectiveness at a time when financial pressures are increasing.

The key drivers include the Waste Strategy for England 2007, Hampshire Materials Resources Strategy and Local Area Agreement, all of which set out ambitions for enhanced waste reduction, recycling and landfill avoidance and a broadening of action beyond Integra's initial focus on household waste.. In addition, the 2007 Comprehensive Spending Review requires authorities to deliver annual 3% efficiency savings until at least 2011, moving the efficiency and partnership working agenda to centre stage and influencing the debate on funding for future infrastructure.

By setting out the complex strategic context in which Project Integra is working and outlining five resultant key strategic outcomes, this Action Plan will help focus and direct the work of the partnership over the next five years.

Within each of the 5 key strategic outcomes, there are a series of work streams on which the partnership will focus its efforts during 2008-2009.

Delivery of these work streams will enable the partnership to further improve performance and efficiency; plan and develop infrastructure to meet the long term objective of eliminating landfill and delivering sustainable resource management; and providing an effective approach to communications to deliver further behavioural change in Hampshire and influence wider policy making.

Further information is available from

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# Appendix 1 Performance

Source: Audit Commission

LOCAL AUTHORITY	2004-05 BV82a+b (Recycling + composting rate %)	2005-06 BV82 a+b (Recycling+ composting rate %)	2006-07 BV82 a(i) (Recycling rate %)	2006-07 BV82b(i) (composting rate %)	2006/07 BV82 a+b (Recycling+ composting rate %)	Statutory recycling target %	Percentage point increase on year (0506 to 0607) on recycling rate	2006/07 BV 86 Cost of waste collection per household	2005-06 BV84a: kg of waste collected per head of population	BV 84b: percentage change from previous year in kg collected per head of population
Basingstoke	16.52	17.3	19.31	0.60	<b>19.91</b>	<b>30</b>	+2.61	£53.43	404.1	-0.07
East Hampshire	32.4	33.6	29.31	5.52	<b>34.83</b>	<b>24</b>	+1.23	£49.38	339	0.53
Eastleigh	32.6	34.7	31.26	6.20	<b>37.46</b>	<b>30</b>	+2.76	£50.01	351	-0.11
Fareham	21.31	28.4	27.18	11.19	<b>38.37</b>	<b>30</b>	+9.97	£40.82	379	-6.23
Gosport	22.8	23.6	22.78	1.32	<b>24.10</b>	<b>27</b>	+0.5	£38.62	341.3	0.86
Hampshire	30.23	31.8	25.19	11.55	<b>36.74</b>	<b>30</b>	+4.94	N/A	502	2.48
Hart	23.53	25.4	25.91	4.94	<b>30.85</b>	<b>30</b>	+5.45	£50.07	386	0.46
Havant	21.33	24.0	29.92	0.39	<b>30.31</b>	<b>30</b>	+6.31	£46.67	359	-6.92
New Forest	24.61	26.4	26.27	2.44	<b>28.71</b>	<b>30</b>	+2.31	£46.29	369	4.80
Portsmouth	17.54	20.5	19.36	3.67	<b>23.03</b>	<b>30</b>	+2.53	£51.26	443.8	-4.10
Rushmoor	19.03	21.6	19.70	2.77	<b>22.47</b>	<b>24</b>	+0.87	£55.77	341	6.38
Southampton	17.67	25.7	17.77	7.74	<b>25.51</b>	<b>24</b>	-0.19	£56.61	426	8.86
Test Valley	19.24	27.2	21.61	5.40	<b>27.01</b>	<b>30</b>	-0.19	£68.97	400	-3.71
Winchester	18.04	20.2	22.33	1.93	<b>24.26</b>	<b>30</b>	+4.06	£60.61	386.9	-2.21
All England Average					30.50			£50.89		0.33
All England Top Quartile					38.40			£42.04		-1.78
English District Average					32.20			£49.54		0.33
English District Top Quartile					42.15			£42.14		-1.87

## Appendix 2 Summary of Integra Waste Collection Arrangements

BVPI data 2006/07	Weekly residual	AWC	Mixed dry recyclables	Glass	Garden Waste	Kitchen Waste	Trade	Contractual arrangements	Cost of waste collection per household (BVPI 86)	Household waste recycled (BVPI 82)	Demographics
Basingstoke	■		■	■	■	■	■	Veolia 2011	£53.43	19.91	■
East Hampshire		■	■	■	■			Veolia 2011	£49.38	34.83	■
Eastleigh		■	■	■	■		■	In-house	£50.01	37.46	■
Fareham		■	■	■	■		■	In-house	£40.82	38.37	■
Gosport		■	■	■	■			Verdant 2009	£38.62	24.10	■
Hart		■	■	■	■			In-house	£50.07	30.85	■
Havant		■	■	■	■			In-house	£46.67	30.31	■
New Forest	■		■	■	■		■	Joint in-house	£46.29	28.71	■
Portsmouth	■		■	■				Veolia 2011	£51.26	23.03	■
Rushmoor	■		■	■	■			Veolia 2009	£55.77	22.47	■
Southampton	■		■	■	■		■	In-house	£56.61	25.51	■
Test Valley		■	■	■	■			Joint in-house	£68.97	27.01	■
Winchester		■	■	■	■			Serco 2011	£60.61	24.26	■

■	Chargeable service - sacks	T – on trial
■	Chargeable service - sacks	R – on roll out
■	Included in council tax – bins or boxes	F - fortnightly
■	Included in council tax – sacks	A – as required
■	Bring banks only	D – with domestic

Majority urban	■
Majority rural	■
Mixed	■



## AGENDA ITEM NO. 7

<b>Board/Committee:</b>	Community and Environment Board
<b>Date of Meeting:</b>	3 March 2008
<b>Title:</b>	Environmental Health Enforcement Policy
<b>Author:</b>	Environmental Services Manager
<b>Status:</b>	FOR RECOMMENDATION TO POLICY AND ORGANISATION BOARD

### **Purpose**

On 17 December 2007 the Government published the Regulator's Compliance Code under section 22(1) of the Legislative and Regulatory Reform Act 2006. Local authorities must approve compliant enforcement policies by April 2008. Delays in publishing the Code mean that it will not be possible to consult on the content of the Environmental Health Enforcement Policy in time. Consultation will therefore take place once the new policy is approved and a further report will be made in due course.

### **Recommendations**

- That the Board approves the Revised Environmental Health Enforcement Policy,
- That the recommendation be referred to the Policy and Organisation Board,
- That a further report be made to the Board at the conclusion of a consultation exercise should this be necessary.

#### **1 Background**

1.1 Gosport Borough Council is responsible for enforcing various laws and recognises that some people may regard these as a hindrance. The Council aims to ensure effective compliance with legislation where necessary to protect people and their environment, whilst minimising the burden to local businesses and residents.

1.2 Previously, separate enforcement policies have been approved for different aspects of Environmental Health, namely food safety, health and safety and licensing, most recently as follows -

- Food Safety Enforcement Policy - *revised by the Community and Environment Board in March 2004;*
- Health and Safety Enforcement Policy - *revised by the Community and Environment Board in March 2005;*
- Licensing Enforcement Policy *adopted in March 2005.*
- A generic, Council-wide enforcement policy exists covering all services which do not have a specific policy.

These policies followed the principals of the Cabinet Office/LGA

Enforcement Concordat signed by the Council in 2000.

- 1.4 In reviewing these policies the opportunity has been taken to combine them into one document in order to improve consistency.
- 1.5 The Code primarily covers most aspects of the enforcement activities of Environmental Health so far as businesses are concerned but also impacts on Streetscene and some other services.
- 1.6 Regulation covering issues not addressed in this report will continue to be undertaken in accordance with the Council's generic enforcement policy. This is also to be revised and is the subject of a separate report to the Policy and Organisation Board by the Borough Solicitor.
- 1.7 Stakeholder consultation should be carried out on any new or revised enforcement policy to ensure that it takes account of the opinion of regulated businesses and others as well as making sure that there is no discrimination against certain sectors of the community. Unfortunately, delayed publication of the Code and the Board cycle deadlines prevented the consultation process from taking place by the April deadline. It is, therefore, proposed that the Policy set out in this report be approved pending completion of a consultation exercise and further report.
- 1.8 It is possible that the Environmental Health Enforcement Policy will need further amendment to reflect certain elements of the Regulatory Enforcement and Sanctions Bill when it becomes law, probably in 2008. Subject to the Parliamentary timetable, these changes may possibly be incorporated in the subsequent report to the Board.
- 1.9 The Revised Enforcement Policy to which this report relates is in Appendix A.

## **2 Report**

- 2.1 It is the aim of an Environmental Health Enforcement Policy to :
  - ensure a consistent approach to environmental health enforcement within the Borough,
  - provide officers with guidelines to enable them to make decisions in the field, consistent with current Government and other advice, and
  - inform the public, businesses, duty holders and employees of the principles by which enforcement action is taken.
- 2.2 In determining the nature of any enforcement action the Council is fully committed to having due regard to the advice given in appropriate statutory Codes of Practice, strategic plans and guidance.

2.3 The Council fully adopts the principles of the Regulator's Compliance Code or, where applicable, the Enforcement Concordat. By adopting these standards the Council demonstrates its commitment to policies and procedures that contribute to equity and best value and will provide information to show that they are being delivered.

2.4 The Code stresses the need for regulators to adopt a positive and proactive approach towards ensuring compliance by :

- helping and encouraging businesses, to understand and meet regulatory requirements more easily; and
- responding proportionately to regulatory breaches

but does not relieve businesses of their responsibility to comply with their obligations under the law.

2.5 At all levels, including individual work in the field, inspectors must have regard to the five principles of good regulation, namely –

- transparency,
- accountability,
- proportionality,
- targeting, and
- consistency.

2.12 There is no national agency responsible for ensuring compliance with the Code. The Government expects that regulators, as responsible bodies, will wish to comply. Any problems which arise will be handled informally but complaint and judicial review may be options.

2.13 Staff place great emphasis on providing clear guidance, information and advice to persons, organisations, duty holders or businesses so as to encourage compliance with the legislation, but not at the expense of placing the public at risk. The Council's web site is employed extensively to disseminate up to date information.

2.14 The Council is already committed to providing low cost training for businesses in an effort to bring about improved standards.

2.15 Schemes such Safe2eat and targeted inspection programmes mean that effort is focussed on the worst performing businesses and that those which remain broadly compliant already receive a lighter touch.

### **3 Human Rights Implications**

3.1 Although enforcement action may impact on an individual's rights this is permitted by law.

#### **4 Race, Equal Opportunities and Consultation**

- 4.1 It was intended that stakeholders would be consulted on the content of the draft revised policy. Unfortunately, delays in publishing the Code and Regulations, combined with the Board report timetable, mean that this cannot be completed before the April deadline. Members will therefore be asked to approve a policy which will then form the basis for consultation. A further Board report will be made once this process is complete.

#### **5 Sustainability**

- 5.1 A robust enforcement policy can make a positive contribution to sustainability by ensuring and promoting compliance, supporting local economic activity (by providing information and support to businesses) and, through the stakeholder consultation process, promoting equal opportunities.

#### **6 Crime and Disorder**

- 6.1 Maintenance of an up to date Environmental Health Enforcement policy will assist the Council to meet its obligation to prevent crime and disorder in its area.

#### **7 Risk Assessment**

- 7.1 Failure to have an enforcement policy in place by April 2008 which meets the requirements of the Regulator's Compliance Code may result in legal challenge. The policy referred to in this report is deemed to be compliant. A further report will be made to the Board following stakeholder consultation.

#### **8 Conclusion**

- 8.1 The Revised Environmental Health Enforcement Policy set out in Appendix A is deemed to meet the requirements of the Code. It also simplifies and improves consistency of the existing policies by merging them together.
- 8.2 Stakeholder consultation cannot be carried out before the April 2007 deadline and will, therefore, be arranged subsequently.
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<b>Financial Services comments:</b>	None
<b>Legal Services comments:</b>	Contained within the report
<b>Service Improvement Plan implications:</b>	A revised EH Enforcement Policy is a requirement of the Environmental Services Unit SIP (reference ENV/EH/010).
<b>Corporate Plan:</b>	<p>This report contributes to the following core values of the Council :</p> <ul style="list-style-type: none"> <li>• Participation – through the planned stakeholder consultation</li> <li>• Performance – by ensuring that the service operates efficiently in compliance with national requirements</li> <li>• People – ensuring that enforcement activity is undertaken without prejudice whilst recognising diversity</li> </ul> <p>and complies with the following strategic priorities :</p> <ul style="list-style-type: none"> <li>• People – in respect of the reduction of crime and anti-social behaviour in a way which complies with national requirements</li> <li>• Prosperity – improving social inclusion and supporting businesses by maintaining a level playing field on enforcement issues</li> <li>• Pursuit of Excellence – delivering a quality Environmental Health service</li> </ul>
<b>Risk Assessment:</b>	Contained in the body of the report
<b>Background papers:</b>	<ul style="list-style-type: none"> <li>• The Legislative and Regulatory Reform (Regulatory Functions) Order 2007</li> <li>• Regulator’s Compliance Code (BERR, 17/12/07)</li> <li>• The Hampshire Licensing Protocol</li> <li>• Hackney Carriage &amp; Private Hire Conditions &amp; Penalty Points Scheme</li> </ul>
<b>Appendices/Enclosures:</b>	<ul style="list-style-type: none"> <li>• Appendix A : Environmental Health Enforcement Policy</li> </ul>
<b>Report author/ Lead Officer:</b>	David Palmer, Head of Environmental Health, 023 9254 5509; e-mail <a href="mailto:david.palmer@gosport.gov.uk">david.palmer@gosport.gov.uk</a>

**ENVIRONMENTAL HEALTH ENFORCEMENT POLICY**

This Policy is effective from 6 April 2008 and will form the basis of stakeholder consultation during 2008.

**Authorisation of Officers**

- 1 Authorisation of officers is of paramount importance in the effective delivery of the functions of the Environmental Health service. The officer having delegated responsibility to authorise enforcement officers is the Environmental Services Manager.
- 2 All authorisations of enforcement officers are in writing, specifying the limits of authorisation. This forms part of the identification cards shown during visits/inspections.

**Decision Making**

- 3 The Council recognises the importance of achieving and maintaining consistency in their approach to making all decisions that concern enforcement action, including prosecution. To achieve this the guidance given in Codes of Practice, LACORS circulars and other advisory documents will always be considered.
- 4 Elected Members will decide in general policy terms what attitude the Council will take to serious breaches of the law relating to food safety, health and safety and licensing matters. Having determined this policy, Members will not thereafter be involved in detailed consideration of individual cases other than in exceptional circumstances or where a licence may be revoked or refused.
- 5 The decision to issue or refuse a licence is made by the Licensing Board where a criminal record check indicates the applicant has relevant criminal convictions. The Board will also determine all other applications where there are relevant representations or where a licence is reviewed following representations or a conviction for failing to comply with licence conditions. Only the Licensing Board may refuse or revoke any licence.
- 6 The decision whether to prosecute or issue a formal caution is delegated to the Borough Solicitor following a recommendation from the Head of Environmental Health. That decision will be based on the legislation, statutory Codes of Practice, including the Code for Crown Prosecutors<sup>1</sup>, and any guidance given by the HSE, HELA, the FSA or LACORS.

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<sup>1</sup> [www.cps.gov.uk/publications/docs/code2004english.pdf](http://www.cps.gov.uk/publications/docs/code2004english.pdf)

- 7 Certain types of formal enforcement action, excluding prosecution and formal cautions, is delegated to those Officers who are deemed competent to do so by the Environmental Services Manager. In determining competence, due regard will be given to the qualifications, nature and extent of the experience in the relevant enforcement discipline held by the Officer concerned, and any relevant approved/statutory Code of Practice. Wherever appropriate the Authorised Officer will liaise with other Teams within Environmental Health, other enforcement agencies and the, Home<sup>2</sup>, Originating<sup>3</sup> and Lead<sup>4</sup> Authorities or the Account Manager of a large, multi-site national organisation participating in the Large Organisations Partnership Pilot (LOPP) will be advised of the action taken and its outcome. In addition, the Office of Fair Trading may be informed of details of any relevant conviction.
- 8 All regulatory activities by the Environmental Health Section will be carried out in a way which is transparent, accountable, proportionate and consistent. Activities will, so far as possible, be targeted only at cases in which action is needed.
- 9 The Environmental Health Section will base all enforcement decisions on :
- the severity and scale of the actual or potential harm arising from an incident
  - the seriousness of any potential breach of the law
  - the effect of the legislative breach upon the potential persons affected
  - the future consequences of failing to address the breach at the present time
  - the track record of the duty holder or the business
  - the enforcement priorities
  - the practicality of achieving results
  - the wider relevance of the incident including serious public concern
  - any concurrent or potential action by other services and agencies and the suitability and effect of our action as opposed to combined with theirs in addressing the issues.
- 10 The Environmental Health Section will have due regard to the advice given in statutory Codes of Practice, strategic plans and guidance including :

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<sup>2</sup> the Home Authority, for food safety purposes, is the local authority where the relevant decision-making base of an enterprise is located.

<sup>3</sup> the Originating Authority, for food safety purposes, is a local authority is whose area a decentralised enterprise produces good and services

<sup>4</sup> the Lead Authority acts as a focal point of liaison on health and safety issues between other local authorities, the HSE and a business, organisation or intermediary group with multiple outlets across the country or a national membership, whose decision making bases is within it's district.

- the Regulator's Compliance Code (Department for business, Enterprise and Regulatory Reform, December 2007<sup>5</sup>)
- the Central and Local Government Concordat on Good Enforcement (usually known as the Enforcement Concordat) where not superceded by the Regulator's Compliance Code
- advice from LACORS
- advice from the Food Standards Agency (FSA)
- advice and guidance on licensing matters from the Department for Culture, Media and Sport (DCMS)
- advice from the Office for Criminal Justice Reform<sup>6</sup>
- advice from the Health and Safety Commission (HSC), the Health and Safety Executive (HSE) and the Health and Safety Executive Local Authorities Enforcement Liaison Committee (HELA)
- advice from the Department of Health

and other relevant Government and professional bodies and to following appropriate national strategies.

- 11 For health and safety enforcement, in deciding the level of response to complaints, reports of injury or occupational ill health, Authorised Officers shall also have regard to the current HSE Incident Selection Criteria and will consider the seriousness of the offence in relation to the assessment process required by the HSE's Enforcement Management Model (EMM)<sup>7</sup> and the likely effectiveness of the various enforcement options.
- 12 The Council will use discretion in deciding the level of response to incidents, complaints or cases of ill health. In accordance with maintaining a proportionate response, most resources available for the investigation of incidents will be devoted to the more serious events.
- 13 In relation to taxis and private hire operators and drivers, the Council operates a points system to deal with infringements of its licensing conditions<sup>8</sup>. The Head of Environmental Health is authorised to issue points and the person concerned has the right of appeal to the Environmental Services Manager. The Head of Environmental Health has delegated authority to suspend a licence where the infringement is so serious as to place the public at risk or where the person concerned has accumulated 12 points in any 12-month period. Any suspension must be ratified at the next available Licensing Board.

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<sup>5</sup> [http://bre.berr.gov.uk/regulation/reform/enforcement\\_concordat/index.asp](http://bre.berr.gov.uk/regulation/reform/enforcement_concordat/index.asp)

<sup>6</sup> see Home Office Circular 30/2005 on Cautioning of Adult Offenders : [www.knowledgenetwork.gov.uk/HO/circular.nsf/79755433dd36a66980256d4f004d1514/d820bbad9e5edd8680257013004d1ccf?OpenDocument](http://www.knowledgenetwork.gov.uk/HO/circular.nsf/79755433dd36a66980256d4f004d1514/d820bbad9e5edd8680257013004d1ccf?OpenDocument)

<sup>7</sup> see link from [www.hse.gov.uk/lau/lacs/45-24.htm](http://www.hse.gov.uk/lau/lacs/45-24.htm)

<sup>8</sup> see link from [www.gosport.gov.uk/sections/environment/environmental-health/commercial-team/licensing/taxi-drivers](http://www.gosport.gov.uk/sections/environment/environmental-health/commercial-team/licensing/taxi-drivers)

- 14 The decision to issue or refuse a licence is made by the Licensing Board where a criminal record check indicates the applicant has relevant criminal convictions. The Board will also determine all other applications where there are relevant representations or where a licence is reviewed following representations or a conviction for failing to comply with licence conditions.
- 15 Only the Licensing Board may refuse or revoke any licence.

### **Supporting Economic Progress**

- 16 The Environmental Health Section will consider the impact of its interventions and ensure that the burden on 'regulated entities', i.e. businesses, is the minimum compatible with achieving the regulatory objective.

### **Risk Assessment**

- 17 The Environmental Health Section will ensure that its efforts are targeted on businesses where they are most needed and will apply a risk-based approach across all service areas.
- 18 Enforcement powers are only employed as a means to an end. Action will generally follow a hierarchy of alternatives unless urgent intervention is required.

### **Advice and Guidance**

- 19 The Environmental Health Section will help and encourage businesses to understand and meet regulatory requirements more easily but this does not relieve regulated entities of their responsibility to comply with their obligations under the law.
- 20 The Section is committed to providing low cost training for businesses in an effort to bring about improved standards and place great emphasis on providing clear guidance, information and advice to persons, organisations, duty holders or businesses so as to encourage compliance with the legislation. The Council's web site is employed extensively to disseminate up to date information.

### **Inspections**

- 21 The Environmental Health Section will ensure that regulatory effort is focussed on those businesses where non-compliance is likely and impact is high.
- 22 Food safety and health and safety regulation is undertaken by the same Team within the Section to ensure consistency, etc. Some joint working between regulators is already in place and more is planned.

- 23 Whenever an enforcement decision needs to be made fair regard shall be given to the normal hours of trading of any business under investigation. When necessary, inspections and investigations will be carried out in the early morning, in the evening and at weekends, in order to obtain fair and representative evidence pertaining to the alleged breach(s).
- 24 Prior notification of an impending enforcement inspection will not be made where such notification would defeat the purpose for which the inspection was being undertaken.

### **Information Requirements**

- 25 Information Requirements on businesses will be weighed against the costs and benefits of providing it and the Environmental Health Section will seek to share this data to avoid duplication.

### **Compliance and Enforcement Actions**

- 26 The Environmental Health Section will adopt positive incentives, such as a light touch or reduced data requirements. Action will be taken where appropriate but there will be discussion with the business first unless immediate action is warranted or delay would defeat the object of the enforcement action.
- 27 Schemes such Safe2eat and targeted inspection programmes mean that effort is focussed on the worst performing businesses and that those which remain broadly compliant already receive a lighter touch.

### **Accountability**

- 28 The Environmental Health Section has put in place effective consultation opportunities for businesses to provide feedback and also provides an effective complaints procedure.

### **Home, Lead and Originating Authority Principle**

- 29 Where Officers are considering taking enforcement action that is contrary to the advice of the relevant Home, Lead or Originating Authority, this shall be discussed with that Authority before taking action. Where the action impacts on the enterprise's policy that has been agreed centrally by the decision-making base of the enterprise, then reference to the Home/Lead/Originating Authority is essential. Where appropriate, Home/Lead/Originating Authorities shall be advised of the action taken and its outcome.

### **Informal Action**

- 30 Informal action will be appropriate in the following circumstances :

- the consequences of non-compliance will not pose a significant risk to public health or to employees or members of the public who may visit the premises, and
- the act or omission is not serious enough to warrant formal action, and
- from the past history of the individual, enterprise or duty holder it can be reasonably expected that informal action will achieve compliance, and
- confidence in the individual or duty holder, or in the management of the enterprise, is high.

31 Even where some of the above criteria are not met there may be circumstances in which informal action will be more effective than the formal approach. This may apply to businesses and enterprises associated with voluntary organisations using volunteers where no one is employed to work. In taking health and safety enforcement action contrary to that identified by the Enforcement Management Model (EMM) Authorised Officers must identify the reason for the proposed action in the “Outcome of Management Review” of the Enforcement Assessment Record of the EMM.

32 When informal action is taken to secure compliance Officers will ensure that written documentation is provided that :

- contains all the information necessary to understand what work is required, why it is necessary and the timescale for compliance
- offers the opportunity for discussion or for the individual or proprietor to make representations, including contact point(s) and name(s)
- indicates the statute or regulation contravened, measures which will enable compliance with the legal requirements and that other means of achieving the same effect may be chosen
- provides the details of any other Council services or outside Agencies that may be able to provide assistance or related services
- clearly indicates that any recommendations of good practice are not legal requirements.

### **Surrender, Seizure and Detention of Food**

33 Officers will encourage the voluntary surrender of food that is suspected of not having been produced in compliance with the Food Hygiene (England) Regulations 2006<sup>9</sup>. Where voluntary measures are refused or inappropriate then Detention of Food notices will be served on the producer. Only Officers duly authorised by the Environmental Services Manager may serve notice to seize or detain food.

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<sup>9</sup> [www.opsi.gov.uk/si/si2006/20060014.htm](http://www.opsi.gov.uk/si/si2006/20060014.htm)

- 34 Where necessary, analysis of detained food will be undertaken as soon as possible by the Council's food examiner. Where detained food is considered to be in contravention of relevant legislation arrangements for its processing or destruction will be discussed with the producer. Where agreement on the destruction or processing with the producer is not reached, the matter will be brought before a Justice of the Peace for a Condemnation Order.
- 35 All food for destruction, either voluntarily or by way of a Condemnation Order, will be destroyed strictly in compliance with national guidance. The Council cannot accept voluntary surrender of raw meat or raw meat products.

### **Fixed Penalty Notices**

- 36 A Fixed Penalty Notice may be issued for offences under the Health Act 2006 in respect of smoking in a smoke-free location or failing to display the required signs.
- 37 A Fixed Penalty Notice may be issued to an owner, occupier, manager or any other person in charge of smoke-free premises or a smoke-free vehicle for failing to display no smoking signs, or to an individual for smoking in smoke-free premises or in a smoke-free vehicle.
- 38 The amount of the penalty will be discounted if paid within a specified time period.
- 39 Persons to whom a Fixed Penalty Notice is issued may direct questions about the service of that Fixed Penalty Notice to the Head of Environmental Health. The Head of Environmental Health may decide upon the cancellation of a Fixed Penalty Notice.
- 40 If the person to whom a penalty notice has been given asks to be tried for the alleged offence proceedings may be brought against him.
- 41 Where the fixed penalty is not discharged the Council will consider action by way of legal proceedings.

### **Issue of Penalty Points**

- 42 The Council's Penalty Points Scheme forms part of the prevailing Hackney Carriage and Private Hire Conditions. This provides stepped enforcement for those licence holders who have contravened licence conditions or associated legal provisions. It does not, however, prejudice the Council's ability to take other actions which it is entitled to take under legislation, bye-laws or regulation.
- 43 The Head of Environmental Health is authorised to issue penalty points with the person concerned having the right of appeal to the

Environmental Services Manager. The Head of Environmental Health has delegated authority to suspend a licence where the infringement is so serious as to place the public at risk or where the person concerned has accumulated 12 points in any 12-month period. Any suspension must be ratified at the next available Licensing Board.

### **Voluntary Closure of Food Premises**

- 44 The Council will consider voluntary closure of food premises where a health risk condition exists (as defined by Regulation 7(2) and Regulation 8(4), i.e. there is a risk/imminent risk of injury to health) provided that this undertaking is confirmed in writing and that the food business will not re-open without the officer's prior approval. Voluntary closure will not be accepted where there is no confidence that the proprietor will close the premises or cease the use of any equipment, process or treatment associated with the imminent risk.
- 45 If the business operator offers to close voluntarily the officer will :
- consider whether there is a risk of the establishment being re-opened without his knowledge and/or agreement (if this were to cause food poisoning or injury the Council could be criticised for not having used statutory powers)
  - recognise that there is no separate legal sanction against a business operator who re-opens for business after offering to close, although enforcement action for the actual breaches (e.g. unsafe food, similar processing as before, etc.) remains available
  - explain to the food business operator that, by making the offer to close, any right to compensation if a Court subsequently declines to make a Hygiene Emergency Prohibition Order is lost, and
  - ensure that frequent checks can be made on the establishment to ensure that it is not operational.

### **Statutory Notices**

- 46 Only Officers who are duly authorised by the Environmental Services Manager may issue (i.e. sign) Statutory Notices.
- 47 Authorised Officers must have personally witnessed the matter concerned, be satisfied that it is significant and that any other appropriate criteria are met before issuing or requesting any Statutory Notice. The Head of Environmental Health may issue certain Statutory Notices on the recommendation of Authorised Officers where the latter are not personally authorised to do so.
- 48 Authorised Officers shall endeavour to obtain the agreement of the duty holder regarding the placing of time limits on Statutory Notices, having taken due account of the risk. Authorised Officers will always

discuss the works required with the duty holder, if possible resolve points of difference and fully consider alternative solutions.

- 49 When issuing a Statutory Notice the Authorised Officer will provide information about the right of appeal.
- 50 Failure to comply with a Statutory Notice will generally result in legal proceedings and/or work in default where appropriate and permitted.
- 51 Hygiene Improvement Notices : Officers will only consider the use of a Notice where one or more of the following criteria apply :
- there are significant contraventions of the legislation
  - there is a lack of confidence in the proprietor or enterprise to respond to the informal approach
  - there is a history of non-compliance with the Council's informal requests for action
  - standards are generally poor with little management awareness of statutory requirements
  - the consequences of non-compliance could be potentially serious to public health
  - in addition to any other formal action, e.g. prosecution, effective action also needs to be taken as quickly as possible to remedy conditions that are serious and deteriorating.
- 52 Hygiene Emergency Prohibition Notices : Officers will only consider the use of Hygiene Emergency Prohibition Notices where one or more of the following criteria apply :
- the consequences of not taking immediate and decisive action to protect public health would be unacceptable
  - an imminent risk of injury to health can be demonstrated; this might include evidence from relevant experts, including a food analyst or food examiner
  - the guidance criteria concerning the conditions when prohibition may be appropriate, specified in the relevant Code of Practice, are fulfilled
  - there is no confidence in the integrity of an unprompted offer made by the proprietor to voluntarily close the premises or cease the use of any equipment, process or treatment associated with the imminent risk
  - a proprietor is unwilling to confirm in writing his/her unprompted offer of a voluntary prohibition.
- 53 Where emergency action involving chemical contamination of food is being considered, Authorised Officers will normally take medical or other expert advice before reaching a final enforcement decision. The relevant guidance concerning which bodies are to be contacted will be consulted.

- 54 Where a Hygiene Emergency Prohibition Notice has been issued, an application for a Hygiene Emergency Prohibition Order must be made to the Magistrates' Court within three working days. Failure to do so will entitle the proprietor of the business to compensation.
- 55 The operator of a food business subject to a Hygiene Emergency Prohibition Order will be given not less than 24 hours notice of the intention to apply at the Magistrates' Court for such an Order.
- 56 Remedial Action Notices : Premises subject to approval(s) under E.C. Regulation 853/2004<sup>10</sup> that are in breach of requirements of the Regulation(s) may be subject to a Remedial Action Notice to address the breach.
- 57 Health and Safety Improvement Notices : Officers will only consider the use of Improvement Notices where indicated by the HSE's Enforcement Management Model (EMM) assessment.
- 58 Health and Safety Prohibition Notices : Authorised Officers will only consider the use of Prohibition Notices where one or more of the following criteria apply :
- the consequences of not taking immediate and decisive action to protect health and safety would result in an unacceptable risk of personal injury
  - a serious risk of personal injury can be demonstrated; this might include evidence from relevant experts, such as a civil engineer or the Employment Medical Advisory Service
  - the Authorised Officer has had regard to any relevant Approved Code of Practice or HSE, HELA or LACORS Guidance, concerning the conditions when Prohibition may be appropriate
  - the Authorised Officer has no confidence in the integrity of an unprompted offer made by the duty holder to voluntarily close the premises or particular part of the premises or to cease the use of any equipment, process or treatment associated with the unacceptable risk to personal injury
  - a duty holder is unwilling to confirm in writing his or her unprompted offer of a voluntary prohibition
  - an assessment under the EMM identifies service of a Prohibition Notice as an appropriate course of action.

### **Simple Cautions**

- 59 The following conditions will be met before a Simple Caution is administered :

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<sup>10</sup> [www.food.gov.uk/multimedia/pdfs/h2ojregulation.pdf](http://www.food.gov.uk/multimedia/pdfs/h2ojregulation.pdf)

- there must be evidence of the suspected offender's guilt sufficient to give a realistic prospect of conviction, and
  - the suspected offender must admit the offence either verbally or in writing (there must be a record). A Simple Caution will not be appropriate where a person has not made a clear and reliable admission of the offence (for example where intent is denied or there are doubts about the person's mental health or intellectual capacity or where it is likely that the person could avail themselves of the provisions of a statutory defence), and
  - it is in the public interest to use a Simple Caution as the appropriate means of disposal, and
  - the suspected offender must understand the significance of a Simple Caution and give consent to being cautioned.
- 60 Simple Cautions cannot be given for smoke-free offences as none of these are indictable.
- 61 If all the above requirements are met, the Officer will always consider whether the offence makes it appropriate for disposal by a Simple Caution but where a suspect is under 18, a Simple Caution will not be given.
- 62 Where a person declines the offer of a Simple Caution the suspect will be advised that the Council has the discretion to proceed with the matter by way of legal proceedings.
- 63 Simple Cautions may be appropriate for individuals and corporate bodies. They will be used only in accordance with the relevant Home Office Circular, the Code of Practice made under section 22 of the Legislative and Regulatory Reform Act 2006<sup>11</sup>, the Code for Crown Prosecutors and relevant guidance from HSE, HELA, FSA, LACORS, etc.
- 64 When considering the disposal of a matter by way of a Simple Caution the Council will have regard to any aggravating or mitigating factors involved in the commission of the offence and determine which factors may be most appropriate in the local circumstances.
- 65 The Head of Environmental Health is the Officer duly authorised to issue Simple Cautions and will not be personally involved in the investigation of the offence. Should this be unavoidable, the Environmental Services Manager will make the necessary decisions. All decisions will be recorded in the Quality Log for the case.
- 66 The views of the victim, if any, will be taken into account and the proposal to offer a Simple Caution explained, though the fact that a victim declines to support a prosecution will not preclude the consideration of a Simple Caution. The final decision is at the

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<sup>11</sup> see further explanation at [www.lacors.gov.uk/lacors/ContentDetails.aspx?id=14911](http://www.lacors.gov.uk/lacors/ContentDetails.aspx?id=14911)

discretion of the Council.

- 67 The suspect's criminal record will be checked to avoid inappropriate use of a Simple Caution. In particular, the Home, Lead or Originating Authority will be contacted for this purpose. If the suspect has previously received a Caution, then a further Simple Caution will not normally be considered unless the matter is trivial or unrelated.
- 68 The Simple Caution may be administered by post or in person. The suspect will be given adequate time to decide whether to accept, including the opportunity to seek independent legal advice.
- 69 Simple Cautions will be recorded and may be published.

### **Prosecution and/or Default Action**

- 70 Where circumstances have been identified which may warrant a prosecution, all evidence and information will be considered to enable a consistent, proportionate and objective decision to be made. For health and safety enforcement any decision to initiate proceedings must be supported by an EMM assessment indicating prosecution as an appropriate response.
- 71 A decision to prosecute will be made in any of the following circumstances and at the earliest opportunity :
  - where the alleged offence involves a flagrant breach of the law such that public health, safety or well-being has or is being put at risk
  - where the gravity of the alleged offence, taken together with the seriousness of any actual or potential harm, or the general record and approach of the offender, warrants it
  - the alleged offence involves a failure by the suspected offender to correct an identified serious potential risk having been given a reasonable opportunity to comply with the lawful requirements of an Authorised Officer
  - where there has been a failure to pay the appropriate fine during the time specified on a Fixed Penalty Notice
  - for persistently failing to comply with a Fixed Penalty Notice for failure to display the correct no smoking signs in smoke-free premises or a smoke-free vehicle or for smoking in smoke-free premises or in a smoke-free vehicle
  - failing to prevent smoking in a smoke-free premises or a smoke-free vehicle
  - a Simple Caution has been offered but rejected
  - the alleged offence involves the failure to comply in full or in part with the requirements of a Statutory Notice
  - there is a history of similar offences or persistent poor compliance
  - there has been a failure to comply with a written informal warning

or an Improvement Notice or Prohibition Notice

- Authorised Officers have been intentionally obstructed or assaulted in the lawful course and pursuit of their duties. This includes refusing to provide name and address when requested by an Authorised Officer.

72 The Borough Solicitor and the Head of Environmental Health will also consider prosecution where, following an investigation or other regulatory contact, the following circumstances apply :

- false information has been wilfully supplied or there has been intent to deceive
- there have been serious failures by the management of the business or organisation
- it is appropriate in the circumstances as a way to draw general attention to the need for compliance with the law and the maintenance of standards required by law and conviction may deter others from similar failures to comply with the law.

73 When considering the decision to prosecute, Officers will also have regard to relevant Codes of Practice and guidance from the appropriate national regulator and consider the following factors :

- a) the seriousness of the alleged offence, e.g.
  - the risk or harm to public health
  - identifiable victims or potential victims
  - failure to comply with a Statutory Notice served for a significant breach of legislation
  - deliberate disregard for financial reward.
- b) the previous history of the party concerned, including :
  - offences following a history of similar offences
  - failure to respond positively to past warnings
  - failure to comply with statutory notices.
- c) the competence of any important witnesses and their willingness to co-operate.
- d) the willingness of the party to prevent a recurrence of the problem.
- e) the probable public benefit of a prosecution and the importance of the case, e.g. whether it might establish legal precedent or address a high incidence of similar offences in the area. Advice on the public interest is contained in the Code for Crown Prosecutors. The general advice is that the more grave the offence, the less likelihood there will be that

the public interest will allow anything other than prosecution.

- f) whether any other action, such as issuing a Simple Caution or a Notice or imposing a Prohibition, would be more appropriate or effective. It is possible in exceptional circumstances to prosecute as well as issue a notice and failure to comply with a notice would be an additional offence.
  - g) Any explanation offered by the company or the suspected offender. Suspected offenders will always be given the opportunity to offer an explanation before prosecution decisions are taken.
  - h) Where applicable, the likelihood of the defendant being able to establish a 'due diligence' or 'best practicable means' defence. Where appropriate, reference will be made to case law and guidance issued by the Food & Drink Federation, FSA, LACORS, the Chartered Institute of Environmental Health, National Consumers Association, National Farmers Union and the Retail Consortium, etc.
- 74 Before a prosecution proceeds, the Borough Solicitor and Head of Environmental Health will ensure that they are satisfied that there is relevant, admissible, substantial and reliable evidence that an offence has been committed by an identifiable person or company. There must be a realistic prospect of conviction; a bare prima facie case will not be enough. Where there is insufficient evidence to prosecute, other types of formal action, such as Simple Cautioning, are not alternatives.
- 75 In circumstances where the Court must impose a Prohibition Order on a food business operator participating in the management of the food business due to a continuing risk to health, the Authorised Officer must obtain evidence in respect of the proprietor failing to take the necessary steps to ensure the provision of hygienic conditions and practices. This could include details relating to the absence or inadequacy of any documented food safety management systems, including HACCP (Hazard Analysis And Critical Control Point techniques) and SFBB (Safer Food, Better Business).
- 76 Default action may be an option when a Statutory Notice has not been complied with. This may be in addition to, or instead of, prosecution. Where the law allows the Council will consider taking default action to remedy a condition, etc., to achieve compliance with a Statutory Notice, if necessary under a Warrant to Enter the premises and including the seizure of equipment, etc. Costs will be recovered from the person(s) responsible where possible.
- 77 Where appropriate, Home, Originating and Lead Authorities or the Account Manager of a large, multi-site national organisation

participating in the Large Organisations Partnership Pilot (LOPP) will be advised of the action taken and its outcome. In addition, the Office of Fair Trading may be informed of details of any relevant conviction.

### **Revocation of Premises Approval**

- 78 Where premises have been approved for the manufacture of foods under any specific food products Regulations and there is in force an Emergency Hygiene Prohibition Notice or a Hygiene Prohibition Order the Authorised Officer, in consultation with the Head of Environmental Health, shall consider the revocation of the approval.

### **Licensed Premises**

- 79 Licensing Act 2003 : The Licensing authority is required to promote the following objectives in relation to premises and people licensed under the Act :

- preventing crime and disorder
- protecting public safety
- preventing nuisance
- protecting children from harm.

- 80 Gosport Borough Council recognises the interests of both citizens and businesses and will work closely, with partners, to assist licence holders to comply with the law and the four licensing objectives it seeks to promote. However, proportionate but firm action will be taken against those who commit serious offences or consistently break the law.

- 81 The Hampshire Licensing Protocol formalises the working agreement between licensing authorities, Hampshire Constabulary and Hampshire Fire & Rescue Service in respect of licensing compliance. This includes the nomination of liaison officers, disclosure arrangements, provision of advice, complaint investigation, review of licences, prosecutions, cautions, etc.

- 82 The Protocol sets out the roles and responsibilities of the various enforcement agencies. It promotes the targeting of agreed problem and high risk premises which require greater attention, while providing a lighter touch in respect of low risk premises which are well run.

- 83 In respect of instigating legal proceedings, the typical division of responsibility is as follows :

- Crime and Disorder : Hampshire Police
- Public Safety : Licensing Authority (i.e. the Borough Council), Hampshire Fire and Rescue Service, Hampshire Constabulary and Hampshire Trading Standards.

- Public Nuisance : Licensing Authority or Hampshire Police
- Protection of Children : Hampshire Police, Licensing Authority, Hampshire Trading Standards in consultation with Hampshire County Council Children Services.

84 In respect of making representations and seeking reviews, the division is as follows :

- Crime and Disorder : Hampshire Police
- Public Safety : Local Authority Health and Safety Service, Health and Safety Executive, Hampshire Constabulary and/or Hampshire Fire and Rescue Service
- Public Nuisance : Local Authority Pollution Service and/or Hampshire Police
- Protection of Children : Hampshire Children Services as the Child Protection Agency, and/or Hampshire Trading Standards.

### **Referral to Another Agency**

85 Where any matter is found to fall more appropriately under the enforcement regime of another regulatory body or agency, e.g. the Police authority, the case will be referred to that agency. In all cases of referred enforcement the person(s) under investigation will be notified by letter of the reasons for referral.

### **Revisits to Premises**

86 Following service of a Statutory Notice or a written informal warning and/or advice, officers will revisit the premises to check that compliance has been achieved. For very minor contraventions officers may advise that a check will be carried out at the next routine inspection. The decision on whether a follow-up visit is necessary will be based upon the seriousness of the non-compliance and the likelihood that further formal action will be taken as a direct result of the visit. Where practicable, the officer who undertook the original visit or inspection will carry out the revisit if there are significant breaches of legislation.

### **Enforcement At Premises In Which The Council Has An Interest**

87 The Council will not take action against itself and where such action may prove necessary the matter will be passed to the Borough Solicitor for referral to the appropriate national enforcement authority, etc.

88 Where Council-owned premises are operated by a contractor or other occupier the Council shall retain responsibility for enforcement. Under these circumstances the Council will apply its enforcement policy and procedures in exactly the same way as it does in all other premises at which it has the enforcement responsibility.

## **Death at Work**

- 89 Where there has been a breach of health and safety law leading to a work-related death the Council will consider whether the circumstances of the case might justify a charge of manslaughter. Officers will liaise with the Police, Coroners and the Crown Prosecution Service (CPS) and if they find evidence suggesting manslaughter they will pass it on to the Police or, where appropriate, the CPS.
- 90 The Council will always carry out a site investigation of a reportable work-related death following liaison with the Police and where evidence indicates that a serious criminal offence or possible health and safety offences may have been committed. Such investigation will be undertaken in accordance with “Work Related Deaths: A protocol for liaison”<sup>12</sup> and the associated “Work Related Deaths: Investigators Guide”<sup>13</sup> both published by the HSE. This specifically excludes deaths from natural causes or by suicide.

## **PACE Interviews – Police And Criminal Evidence Act 1984**

- 91 Questioning of duty holders and other persons will be carried out as a formal interview where there is suspected involvement in criminal offences. All interviews shall be conducted with regard to the Act and associated Codes of Practice.

## **Human Rights Act 1998**

- 92 Regard shall be had to the Human Rights Act 1998 when applying this Policy.

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<sup>12</sup> [www.hse.gov.uk/pubns/misc491.pdf](http://www.hse.gov.uk/pubns/misc491.pdf)

<sup>13</sup> [www.hse.gov.uk/enforce/investigators.pdf](http://www.hse.gov.uk/enforce/investigators.pdf)

## AGENDA ITEM NO. 8

<b>Board/Committee:</b>	Community and Environment
<b>Date of Meeting:</b>	3 <sup>rd</sup> March 2008
<b>Title:</b>	Lease of Land and Pavilion to Bridgemary Bowling Club
<b>Author:</b>	Development Services Manager
<b>Status:</b>	FOR RECOMMENDATION TO POLICY AND ORGANISATION BOARD

### **Purpose**

To seek Board approval for the termination and regrant of a lease of land and buildings in Bridgemary Avenue to Bridgemary Bowling Club on the terms given below.

### **Recommendation**

That the Board authorise the Head of Property Services to agree terms with Bridgemary Bowling Club to enter into a new lease subject to the Club first obtaining Planning Permission for the erection of a store.

That the Borough Solicitor be authorised to enter into such documentation as is necessary to effect the above decision in consultation with the Head of Property Services.

That authorisation is sought from the Policy and Organisation Board to this recommendation.

### **1 Background**

- 1.1 The Council granted a lease of the bowling green and pavilion to Bridgemary Bowling Club in 1989 for a period of twenty-one (21) years at £1750 pa subsequently reviewed and revised to £3650 pa since 1999. The area of the lease is shown hatched green on the attached Plan 1.
- 1.2 The Club have requested permission to erect a store building (approximately 3.6m x 2.4m) on the site edged and hatched blue on the attached Plans 1 and 2. The site is outside the area currently leased to the club. (Note that a store [edged and hatched red on Plans 1 and 2] has already been erected by the Club on land outside the leased area.)
- 1.3 A site inspection discovered that, at a date unknown, the boundary fence to the site, shown as a dashed black line on Plan 1, was extended beyond the area of the original lease and now encloses two

areas partly laid to shrub edged red and marked as A and B on Plan 2.

## **2 Report**

2.1 In order to rectify the enclosure of areas A and B on Plan 2 it is proposed that the existing lease is surrendered by the club and a new lease granted to include these areas. The Leisure and Cultural Services manager has been consulted and approves the proposed arrangements.

2.2 The new lease is to be drafted on the same principal terms as the previous lease except for:

2.2.1 A new term of twenty-one (21) years shall be granted.

2.2.2 The annual rent shall be revised in line with the variation to the Retail Price Index (RPI) since the last rent uplift in June 1999. This provides a starting rent of £4600 pa.

## **3 Risk Assessment**

3.1 The Council will suffer no material risk should the new lease not be granted, but the club will not be permitted to erect a new store in area B on Plan 2, which may affect their efficiency. If the lease is approved the shrubs planted in areas A and B on plan 2 will still be maintained by the Council, as are all shrubs and trees within the leased area.

## **4 Conclusion**

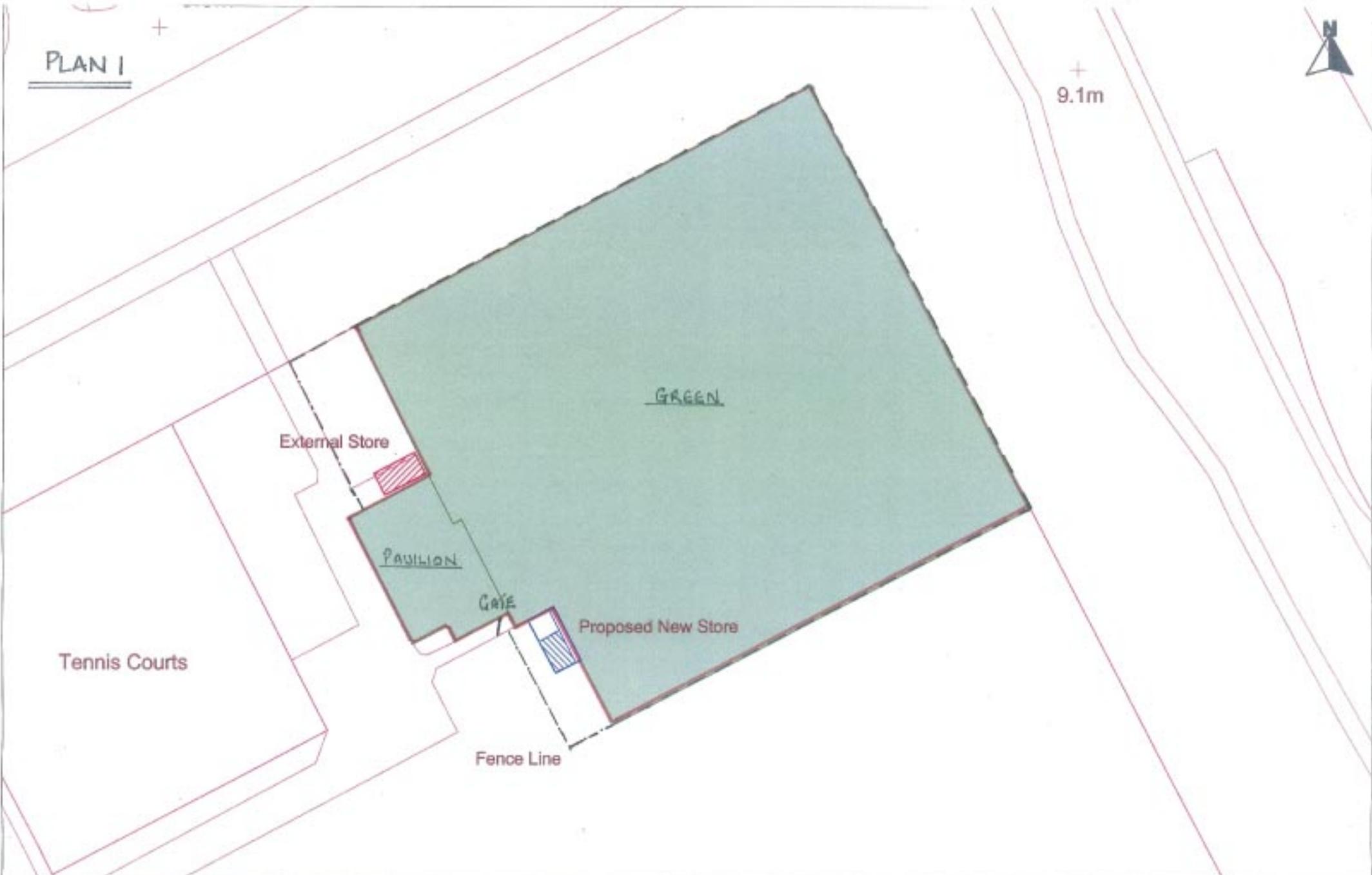
4.1 In consideration of the factors above a new lease will rectify the enclosed areas and permit the Club to continue with their improved management of their facilities, thus assisting a valued community group

<b>Financial Services comments:</b>	Current and proposed rents are at paragraphs 1.1 and 2.2.2
<b>Legal Services comments:</b>	None for the purposes of this report
<b>Service Improvement Plan implications:</b>	
<b>Corporate Plan:</b>	People: better leisure facilities with increased usage
<b>Risk Assessment:</b>	As above
<b>Background papers:</b>	None
<b>Appendices/Enclosures:</b>	Plan 1
	Plan 2
<b>Report author/ Lead Officer:</b>	Mark Pam Ext 5563

PLAN 1



9.1m



TOWN HALL, HIGH STREET, GOSPORT,  
HANTS, PO12 1EB. DATE: 20/12/2007



Scale 1:500  
0 4 8 12 16 20 m



Bridgemary Bowling Club

If this map has been transmitted electronically, use the scale bar in preference to the written scale

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PLAN 2



9.1m



TOWN HALL, HIGH STREET, GOSPORT,  
HANTS, PO12 1EB. DATE : 20/12/2007



Scale 1:500  
0 4 8 12 16 20 m

Bridgemary Bowling Club

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## AGENDA ITEM NO. 9

<b>Board/Committee:</b>	<b>Community and Environment Board</b>
<b>Date of Meeting:</b>	<b>3 March 2008</b>
<b>Title:</b>	<b>Car Parking Charges</b>
<b>Author:</b>	<b>Borough Solicitor</b>
<b>Status:</b>	<b>For decision</b>

### **Purpose**

For the Board to consider the evidence obtained by the Overview and Scrutiny Committee regarding car parking charges.

### **Recommendation**

- That the Board take full cognisance of the evidential findings of the Committee
- That, in considering the existing charging regime or in making any alterations to the existing charging regime in the Borough's car parks, the Board give full regard to the evidence presented by the Overview and Scrutiny Committee as well as the implications to the Borough Council's finances
- That the Board note the advice of officers regarding the best utilisation of income streams
- That the Board note the Overview and Scrutiny Committee's concern over the lack of parity in charging between short stay car parks in Lee-on-the-Solent
- That the Board note the conclusion of the Overview and Scrutiny Committee that car parking charges are only one of many factors that influence shoppers

### **1.0 Introduction**

1.1 At the meeting of the Overview and Scrutiny Committee on 7 June 2007 a request was made for the disparity in car parking charges in Lee-on-the-Solent short term car parks compared to other short term car parks in the Borough to be scrutinised. Members agreed to this request and that the scrutiny should be carried out at a future whole meeting of the Committee.

1.2 A request for car parking charges in the Borough as a whole to be scrutinised was made by the Leader of the Council at a meeting of the Committee on 10 October 2007, to which he had been invited.

### **2.0 Report**

2.1 The Overview and Scrutiny Committee held a meeting on 10 October 2007 at which it discussed the disparity in short stay car parking

charges at Lee-on-the-Solent in comparison with the rest of the Borough. A minute extract from this meeting is attached as Appendix 1.

2.2 The following were invited to the meeting and attended to make observations and answer questions to assist the Committee with its scrutiny of this area of work:

- Mrs Liz Driver (petition organiser)
- Mr Richard Mackay (Lee-on-the-Solent Residents Association)
- Mr Peter Patterson (Lee-on-the-Solent Traders Association)
- Councillor Cully (Leader of the Council)
- Councillor Carter (Councillor for Lee West)

2.3 The Committee also considered a request from Councillor Wright, Chairman of the Overview and Scrutiny Committee, regarding the issue of free parking permits to various organisations.

2.4 The Committee decided that an evidence based report should be prepared in order to consider a full scrutiny of car parking charges. The Committee also decided that the issue of free car parking permits to various organisations should be considered as part of this scrutiny. This area was not scrutinised separately.

2.5 At its meeting on 3 January 2008, the Committee carried out the first part of its full scrutiny by hearing the views and asking questions of the following:

- Mr John Bowles
- Mr Tony Salter (Lee Traders Association)
- Councillor Wright (in place of Councillor Cully, Leader of the Council)
- Councillor Hook (Leader of the Conservative Group)

A minute extract from this meeting is attached as Appendix 2.

2.6 The Committee held a further meeting on 9 January 2008 (a draft minute extract of which is attached as Appendix 3) and considered the report of the Borough Treasurer and Deputy Chief Executive, a copy of which is attached as Appendix 4.

2.7 At this meeting the Committee decided to make its recommendations to the Community and Environment Board as set out above.

### **3.0 Conclusion**

3.1 That the Board consider the recommendations of the Overview and Scrutiny Committee.

<b>Financial Services comments:</b>	None for the purposes of this report. Appendix 4 contains Budget Considerations.
<b>Legal Services comments:</b>	None for the purposes of this report
<b>Service Improvement Plan implications:</b>	None for the purposes of this report
<b>Corporate Plan Implications:</b>	None for the purposes of this report
<b>Risk Assessment:</b>	None for the purposes of this report
<b>Background papers:</b>	None
<b>Appendices/Enclosures:</b>	<p><b>Appendix 1</b> – Minute extract from the meeting of the Overview and Scrutiny Committee held on 10 October 2007</p> <p><b>Appendix 2</b> - Minute extract from the meeting of the Overview and Scrutiny Committee held on 3 January 2008</p> <p><b>Appendix 3</b> - Minute extract from the meeting of the Overview and Scrutiny Committee held on 9 January 2008</p> <p><b>Appendix 4</b> – report of the Borough Treasurer and Deputy Chief Executive to the Overview and Scrutiny Committee on 9 January 2008</p>
<b>Report Author:</b>	Linda Edwards

**APPENDIX 1**

**AN EXTRAORDINARY MEETING OF THE OVERVIEW AND SCRUTINY  
COMMITTEE WAS HELD ON 10 OCTOBER 2007**

**35. DISPARITY IN SHORT-STAY CAR PARKING CHARGES AT LEE-  
ON-THE-SOLENT IN COMPARISON WITH THE REST OF THE  
BOROUGH**

The Chairman welcomed Mrs Liz Driver (petition organiser), Mr Richard Mackay (Lee-on-the-Solent Residents Association), Mr Peter Patterson (Lee-on-the-Solent traders Association), Councillor Cully (Leader of the Council) and Councillor Carter (Councillor for Lee West), who had been invited to the meeting to make observations and answer questions to assist the Committee in its scrutiny of this area of work.

The Chairman briefly reminded Members that it had been agreed at the meeting on 7 June 2007 that this subject be scrutinised at a future whole meeting of the Committee.

A number of questions were raised by Members to the invitees and the following responses made.

Councillor Cully advised that he was unaware of the thinking behind the proposal at Council to introduce two hours free short-stay car parking in the Town but not at Lee-on-the-Solent. He had recognised this disparity when it was raised by the Conservative Group. He felt there was a case for giving parity to short-stay parking in Lee-on-the-Solent but consideration would also have to be given to bringing long-stay charging in line with that at the Town Centre i.e. that charging should begin at 8.00 a.m. as opposed to 10.00 a.m.

Councillor Cully said that he had voted for the introduction of long-stay car parking charges at Lee-on-the-Solent beginning at 10.00 a.m. but there had been no free short-stay car parking at that time. He had not considered making changes to car parking charges during the February 2007 budget process. The Labour Group had only taken over Leadership of the Council in December 2006; there was a limited period in which to work on the budget and there had been other priorities. He had no objection to the proposal to scrutinise car parking charges and would like a review to take place. Following this, any judgement should be based on the evidence of the review and in the best interests of Gosport.

Officers advised that, should Lee-on-the-Solent short-stay car parking charges be given parity with those in the rest of the Borough, it was estimated that £50,000 in revenue would be lost on an annual basis.

Mr Mackay told the Committee that, should car parking charges at Lee-on-the-Solent receive parity, including long-stay charges beginning at 8.00 a.m. he felt there would be a much more contented feeling in the area. Elmore was a seafront car park and, if it were treated differently to Stokes Bay, there could be problems.

Mr Patterson advised that most traders operated from 8.30a.m. until 5.30 p.m. Generally, Lee Traders Association were in favour of car parking charges provided they were fair and reasonable. Free car parking in the short –stay car parks would probably suit some people but principally they were looking for parity with the Town Centre.

Mrs Driver advised that approximately 2,500 people had signed the petition to introduce parity with a further 150 signing that day. A further petition had been signed by 72 business representatives. She felt people would be happy with charging at long-stay car parks beginning at 8.00 a.m. and would like to see two hours free short-term parking.

Since the introduction of car parking charges, businesses had suffered. A large number of people had lost trade and 10 or 11 businesses had disappeared. There was a need to encourage people, even Lee residents, into Lee-on-the-Solent shopping area again.

Mr Patterson advised that car parking charges were an element contributing to the downturn of business in Lee-on-the-Solent. There were, however, more important issues to consider in order to bring businesses back to the area. Invitations had been extended to people to attend meetings of the Lee Traders Association to discuss car parking charges but the invitations had not been accepted.

Councillor Carter advised that residents were mainly concerned about the lack of parity with the rest of the Borough. The High Street had numerous cars parked on it and not many people were asking for free car parking, only parity.

Mrs Driver advised that the petition she organised started due to the introduction of free short-stay car parking in the Town Centre. Some concern was expressed by Members that a number of the signatories appeared to have addresses outside the area. Mrs Driver confirmed that they were visitors.

In response to the suggestion that there had been an increase in the use of car parks at Lee-on-the-Solent since the introduction of free parking in the Town Centre, Mrs Driver agreed that the weather may have been a factor as it was a seaside area. She stressed that people who did not live within walking distance of Lee-on-the-Solent no longer came to the area, preferring instead to go to Stubbington where the parking was free for one hour.

Mrs Driver agreed there were opportunities for people to park in Lee High Street, an opportunity not available in Gosport, but works carried out by Hampshire County Council did not help the situation.

10 October 2007

Mr Patterson advised that these were safety road works which were of great importance.

Mr Mackay advised that, since the building of Cherque Farm, there had been an increase in the number of young visitors to the High Street. However, the estate was somewhat cut off from the centre of Lee. Many people living at Cherque Farm drove elsewhere to work and would do their shopping close to their workplace. A number of supermarkets in Gosport had their own car parking facility but this was not the case with the Co-op at Lee.

Mrs Driver said that, if car parking charge parity were given, there would be an improvement in trade provided the new arrangement was properly publicised.

Mr Patterson said that business was encouraging at the moment. A hard core of people shopped at Lee and he did not envisage any significant increase in trade should parity be given. He did, however, accept that his business was of a different nature to that of Mrs Driver; Mrs Driver's being service provision and his being retail.

Mr Mackay suggested the difference would be marginal. People were in the habit of shopping elsewhere. Most people considered the car parking charges to be unfair but not wrong.

Councillor Cully said he felt there should be parity for all car parks in the Borough. The proposer of free car parking in the Town Centre had invited the Conservative Group to put forward an amendment to include Lee short-stay car parks but this had not happened. He would have supported such an amendment but stressed that he considered it the responsibility of the Lee Councillors to put such a motion or amendment forward.

Councillor Cully said he would await the Committee's findings. If he felt that two hours free parking in Lee short-stay car parks was justified he would not be opposed to it but would wish long-stay charges to begin at 8.00 a.m.

In response to a question from a Member, Mr Mackay said that he did not blame any Councillor for the lack of parity but was unhappy that the matter had been under debate for so long.

Mr Patterson said he did not blame any one group. It was a matter of how important the funds were to the Council's finances.

Mrs Driver said that car parking charges had been introduced by the Conservative Group. The Lee Councillors should have done their best to bring parity to Lee but she felt they had not.

Councillor Cully said that he would be happy with the re-introduction of free car parking for two hours at Jamaica Place as with all other short-stay car parks. However, such a decision would have to be based on evidence.

10 October 2007

The Chairman thanked the invitees for attending the meeting and for their contributions. At this point the invitees left the meeting.

Having listened to the views of the attendees, Members debated the way forward and the following views were expressed:

- there was a general consensus that parity was desired and would be fair
- free short-stay car parking in Lee-on-the-Solent would be at a cost of approximately £50,000 a year to the Borough
- should this be introduced, charges for long-stay car parks at Lee should start at 8.00 a.m. and not, as was the current arrangement, at 10.00 a.m.
- the invitees representing Lee-on-the-Solent felt the current charging arrangements to be unfair and none had appeared to object to the concept of parity in both short and long stay car parks
- should parity be introduced, it would be necessary to consider the impact on other services
- there was enough information available over the last two years regarding, for example, foot fall information and the impact on trade, to make a considered judgement
- an evidence based report should be brought to an extraordinary meeting of the Committee in four to six weeks time to consider a full scrutiny of car parking charges within the Borough

Members accordingly supported the last view and decided that a report should be presented to the Committee at a future meeting to enable a full scrutiny of car parking charges in the Borough to be carried out.

**RESOLVED:** That an evidence based report be brought to an extraordinary meeting of the Committee in four to six weeks time to consider a full scrutiny of car parking charges within the Borough.

**APPENDIX 2**

**A MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE**

**WAS HELD ON 3 JANUARY 2008**

**51. REVIEW OF CAR PARKING CHARGES**

The Chairman introduced Messrs Tony Salter (Lee Traders Association) and John Bowles who were in attendance to answer questions from the Committee and to provide their views on car parking charges. Councillors Wright (in place of Councillor Cully) and Hook were also in attendance for the same purpose.

Apologies from invitees for their inability to attend the meeting had been received from Councillor Smith, Gosport Business Forum, Gosport Police, Hughmark and the Federation of Small Businesses.

Mr Bowles advised the Committee that he was not representing any particular organisation and, in response to questions from Members, made the following points:

- In principle he was not in favour of car parking charges in the Borough but, since the introduction of two hours free parking, it had not been so much of an issue.
- Initially the charges had affected all businesses in the Town Centre and people complained that they found them restrictive. Previously people would do their shopping and then, for example, go for coffee but now they had to return to their vehicles by a certain time.
- For him, trade had dipped initially following the introduction of car parking charges but, as people became used to paying for parking, it had picked up again. However, the service he provided was of a specialist nature and was unlikely to be obtained in an alternative way, for example, via the internet.

3 January 2008

- He felt that the charges had been introduced possibly due to Central Government influence and that so much Council Tax revenue was used for the maintenance and management of car parks. Car parking revenue now more than covered these costs.
- The introduction of two hours free parking had been welcomed by customers and this was regarded as an appropriate length of time for free parking.
- Car parking charges did not dictate how well businesses were doing. At one time there had been many independent businesses in the Town Centre but these had been taken over by multi national companies.
- There were many reasons for the downturn in trade, including the opportunity nowadays for people to shop in other ways. However, if the two hours free parking facility were to be withdrawn, this would be detrimental to trade but would not affect the number of people taking the ferry to Portsmouth.
- The Tuesday and Saturday markets used to be full but were now very sparse.
- Although he knew there was a degree of car parking enforcement, this service was not particularly visible. There was abuse by people working in the Town Centre who moved their vehicles every two hours to avoid parking charges.
- Before car parking charges were introduced, he had suggested a permit scheme to be considered for people working in the Town Centre. He felt that a scheme should be considered for spaces to be made available at a reduced rate for Town Centre workers. This would free up spaces and increase revenue to the Council. The South Street car park was often only half full and may be used more if such a scheme were introduced.
- With regard to the closure of some businesses in the Town Centre, he was not aware of the specific reasons for this but was concerned that the government now received the income generated by business rates. There were too many charity shops and too many empty premises.
- Major factors that made moving businesses to Gosport difficult were that the town was on a peninsula and that there were many grade one and two listed buildings which could prove to be restrictive for potential businesses.
- Car parking charges in Gosport appeared to be fair when compared to those of other local authorities but any increase in charges would be detrimental to the town as Fareham and Portsmouth had more to offer to shoppers.
- It was unlikely that Gosport businesses would be able to reverse the trend of a downturn in trade. This was little to do with car parking charges. Gosport was the “last town on the trail” in Hampshire and people would now buy from larger concerns having previously bought in the town.

In response to Members' questions, Mr Salter made the following points:

3 January 2008

- The introduction of free parking at Lee would improve trade. People begrudged paying even £0.50p for car parking. There was plenty of free on street parking in Lee but this was generally taken up by people working in shops and businesses.
- The police had advised him that Gosport Borough Council was one of the only Councils not enforcing on street parking.
- Whilst he tended to agree with charging for parking, people at Lee felt aggrieved that they did not have parity with the free parking in Gosport Town Centre.
- The last few years, and particularly last year, had been difficult for trade. Many complaints had been received from customers saying they were unable to park. Lee seemed to be going slightly backwards. There were numerous estate agents and charity shops but there were also some good independent traders. His own business was very much influenced by parking facilities and he had at one time been looking to relocate due to the parking problems.
- Trade was also partly affected by internet shopping.
- He did not regard Lee traders as being in direct competition with Gosport although it appeared some trade had been lost at Lee following the introduction of two hours free parking in the Town Centre.
- Upon being advised by the Chairman that, in the six months following the introduction of free parking in the Town Centre, there had been a 4.7% increase in short stay parking at Lee and a 17.1% increase on the corresponding six months of the previous year, Mr Salter expressed surprise. He said that on New Year's Day Lee car parking areas had been full but the High Street was quiet. Drivers did not always visit to shop but used Lee as a place to walk.

To sum up, Mr Bowles thanked the Committee for its invitation and courtesy. He said that Gosport had great potential and had its own sports centre and ice rink. He felt that if the town "died" he would have to find some other kind of employment.

Mr Salter summed up by saying that parity with the two hours free parking in Gosport Town Centre should be introduced at Lee. General parking at Lee was not good in terms of policing and he would like to see the provision of parking for traders and residents.

The Chairman thanked Messrs Bowles and Salter for their contributions.

In the absence of Hughmark (the market operator), the Chairman read out the contents of a letter received from them:

"We would make this comment – we believe that to charge a nominal fee for short time parking (say up to two hours) or to allow two hours free parking, makes very little difference to the market attendance.

We trust that the existing arrangements regarding trader parking will remain in place. To charge traders for parking will certainly have an adverse effect on the market."

Councillors Hook and Wright were then asked questions by the Committee and responded as follows:

Councillor Hook stated that in 2000 a survey had indicated that 32.9% of residents were prepared to accept the introduction of car parking charges. In 2001 the Audit Commission had put forward a paper on car parking services and at the end of 2002, car parking charge options had been reviewed. At that time 42% of Gosport residents were non-car owners.

In 2002 slightly under 39% of people were in favour of car parking charges and 54% were not.

In July 2004 officers produced a car parking charges package. The reason for this was that retailers said that car parks were full by 8.30 a.m. with cars belonging to commuters, Town Centre workers and visitors to Portsmouth. It was apparent that there was a need to encourage people out of their cars and into other forms of transport, including public transport, or car sharing. There was also the incentive of financial gain for the Council.

At the time the Council's working balance amounted to £421,000 with no reserves. As a result of car parking charges, the balance was increased to £840,000. Car park management and maintenance was costing £300,000 per year and it was anticipated that £750,000 of income to the Council would be generated.

At present the Council did not have enough money to improve grass cutting or public signage and would not meet its 40% recycling target.

Two hours free parking was not sensible and the Council had lost a great deal of money through its introduction. Mr Bowles had indicated that there had been an initial dip in trade but there had been no effect thereafter.

Councillor Wright stated that car park management costs were probably now higher since the introduction of charges but he felt that not enough enforcement work was being carried out. The inspectors now worked generically and this was a mistake. Regular meetings had been held with the Chief Executive where the subject of enforcement had been raised. More money could be raised through penalties if more enforcement were carried out.

Councillor Hook advised that the cost of enforcement in 2004/05 had been estimated at £168,000.

Councillor Hook stated that the introduction of two hours free parking was of no benefit to traders. It encouraged the use of the car parks by people wanting to visit Portsmouth or look around the shops. Traders needed customers who were going to spend money but people would rather pay £1.00 to shop at Fareham. A charge of £0.50 per hour would guarantee spaces being available.

3 January 2008

There were a number of car parking concessions already in existence but he had no objection to these being reviewed.

Councillor Hook stated that he had sympathy with the people at Lee with regard to the lack of parity. Very few businesses were against charging once it had been introduced. All indications from surveys suggested that charging for car parking was the right thing to do.

Councillor Wright stated that parking charges had been used to augment Council Tax income. All parties on the Council had tried to attract major shops to the Borough but, in the main, the town contained only small traders. The Council should support them but customers still had the opportunity to go elsewhere to large shops or shop through the internet.

Councillor Wright stated that the charges had been introduced without proper consultation and that all amendments relating to concessions had been defeated upon the casting vote of the then Chairman of the Policy and Organisation Board. The process had been ill thought out and rushed through.

Following many complaints from the public a number of concessions, including two hours free parking, had eventually been introduced. He would support a review of concessions.

Councillor Hook stated that the scheme had originally been worked up during a Labour Group administration. The Conservative Group, when gaining power, had had to react to a poor financial situation.

The people who appreciated the introduction of car parking charges were the non-car owners. The value of the Council's car parks was over £5 million.

The removal of charges would enable non Gosport residents to park free of charge. Car parking charges were not a vote winner but had reduced the burden on Council Tax revenue.

Councillor Wright stated that car parking charges encouraged people to shop at Fareham where there were more shops.

In response Councillor Hook expressed the view that traders in Gosport and Fareham would encounter more difficulties from a large Tesco development than from car parking charges. The Council was trying to make the Gosport High Street more attractive and should look at initiatives for the Market and the Town Centre. If people were serious about spending money they would come to Gosport despite parking charges.

Councillor Hook advised that green issues were increasingly important now. Car parking charges would help to finance these and other future challenges such as improved grounds maintenance.

3 January 2008

Councillor Wright stated that, due to car parking charges, more people used the A32 thus increasing the use of private vehicles.

Councillor Hook reported that 298,000 people had used the Gosport Ferry in December 2004 and 301,000 in December 2005.

With regard to the lack of parity for Lee, Councillor Wright stated he would support any motion to remove this anomaly but it was up to the Conservative Group to make the necessary proposal.

Councillor Hook questioned whether parity should mean two hours free parking at Lee or whether the car parks in Gosport Town Centre should be the same as the Lee car parks.

Councillor Wright stated that the cancellation of charges at Jamaica Place came about due to the specific problem of shops closing in Stoke Road. The decision was a correct one and should not be changed.

To sum up, Councillor Wright stated that there were a number of anomalies and that his group would support a review and changes, for example, the echelon parking by St Georges Barracks. Also, the issue of enforcement needed to be looked into, particularly with regard to the introduction of specific car park inspectors.

Councillor Hook summed up by stating that the main problem was that all parties were entrenched in their views on the matter. The Committee would need to look at evidence and facts in order to come to its conclusions.

He felt it was significant that few invitees and no members of the public or press had turned up at the meeting and suggested that the issue may not be as important to the public as had been originally thought.

There were difficult decisions to be made and, to move forward, all forms of income should be looked at. All parties needed to talk to officers to try to identify future income streams. Spend to Save and introducing efficiencies could only be effective for a limited time.

He felt that issues should be looked at non-politically and that the bigger picture should be viewed. For example, waste recycling, green issues and best practice indicators would require funding in the future. The Council continually provided services over and above those required by law and this would also need to be looked at.

Councillors Hook and Wright were thanked by the Chairman for their contributions.

**APPENDIX 3**

**A MEETING OF THE OVERVIEW AND SCRUTINY COMMITTEE**

**WAS HELD ON 9 JANUARY 2008**

**55. CAR PARKING CHARGES**

Consideration was given to a briefing note of the Borough Treasurer which provided background information and highlighted a number of issues to assist the Committee's scrutiny of car parking charges.

The Chairman advised Members that any recommendation made by the Committee would be referred to the Community and Environment Board

The Chairman put forward a number of proposals to the Committee for recommendation to the Community and Environment Board which were:

- That the Board take full cognisance of the evidential findings of the Committee
- That, in considering the existing charging regime or in making any alterations to the existing charging regime in the Borough's car parks, the Board give full regard to the evidence presented by the Overview and Scrutiny Committee as well as the implications to the Borough Council's finances
- That the Board note the advice of officers regarding the best utilisation of income streams
- That the Board note the Overview and Scrutiny Committee's concern over the lack of parity in charging between short stay car parks in Lee-on-the-Solent
- That the Board note the conclusion of the Overview and Scrutiny Committee that car parking charges are only one of many factors that influence shoppers

Officers were questioned regarding the current cost of car parking enforcement and advised that the current revised figure was £174,000 per year including oncosts. Officers carrying out car parking enforcement work were generic officers and spent time on other tasks.

Concerns were raised that some members of the public appeared to be evading car parking charges due to lack of enforcement and therefore income was not being maximised. Officers advised that, if a vehicle did not have the required parking permit, it did not necessarily mean that it would not be ticketed later in the day. Enforcement was carried out although not every day. Members of the public would be unaware of which days enforcement would be taking place. Two hours free parking meant that less enforcement was required and the existing regime was the best that could be provided within the Council's budgets and was considered to be adequate.

9 January 2008

Officers advised that, originally, five officers carried out enforcement work on a part-time basis and there were now eleven. Officers had been brought in from other sections to work in this area and at least one of them was dedicated to car parking enforcement. Previously enforcement work had been carried out between the hours of 8.00 am to 4.00 pm but this had now been extended to cover the hours between 6.00 am and 10.00 pm.

Since the introduction of the Clean Neighbourhoods and Environment Act, due to Members' concerns, a policy of zero tolerance had been adopted. This had resulted in a reduction from 77 cars advertised for sale on the highway in 2005 to five in 2007. During the same time period, requests in relation to dog fouling had fallen from 60 to 33, streets affected by graffiti from 4% to less than 0.5%, fly posting was almost down to zero and fly tipping incidents from 746 to 575. Three prosecutions were pending.

Streets affected by unacceptable levels of litter and detritus had fallen from 33% to below 9%. Fixed penalty litter notices had risen from nine in 2006 to 33 in 2007.

Penalty tickets issued in short stay car parks had totalled 1213 in 2005, 952 in 2006 and 389 in 2007. For the same years, 604, 333 and 268 tickets respectively had been issued in long term car parks.

Parking fines in 2006/07 had totalled £51,856 whilst the projected figure for the current year was £32,670.

Officers were questioned as to how the Council could balance its budget when £300,000 of revenue would be lost annually due to the introduction of two hours free parking. The Borough Treasurer explained that the Council received a windfall in 2006/07 due to an underspend in 2005/06. Despite this, it had been necessary to use some of the reserves in 2006/07.

Links between free car parking and specific changes to other services to balance the budget could not be drawn. The possible exceptions were the reduction of car park maintenance and Explosion! Museum.

The Borough Treasurer stated that his concerns were more concentrated on the Council's future financial position. At present the Council Tax increase forecast for 2009/10 was in the region of 20% whilst the percentage increase in 2010/11 was forecast to be in double figures. Action would need to be taken either to increase income or reduce services. To avoid capping a 4% Council Tax increase would have to be adjusted for which would involve cutting expenditure or increasing income by £860,000 in 2009/10 and over £500,000 in 2010/11.

At this point of the meeting the alarm bell sounded. The Town Hall was evacuated and the Chairman decided that, in the circumstances, the meeting should be adjourned.

**The meeting was adjourned at 6.40 pm.**

**The meeting was reconvened at 6.00 pm on 31 January 2008. Councillors Dickson, Jacobs, Kimber, Philpott, Mrs Searle and Train were in attendance.**

In answer to a Member's question, the Borough Treasurer advised that the loss of income from the introduction of free short stay car parking had been met from reserves. There were no plans to use money from reserves for this purpose during 2007/08 or 2008/09. There was no direct link between cuts in services and the introduction of free car parking.

There was no shortfall in the 2008/09 budget although there were some reductions in services.

The projected shortfalls for the years 2009/10 and 2010/11 were £860,000 and £516,000 respectively. Action was being taken to address this situation and the contract with Verdant, the Council's waste collection contractor, was to be extended. This would have a beneficial effect on the shortfall figures.

A Member suggested that, although savings could be made in the short term, this was not a situation that could continue and asked whether the Council's financial commitment to the Bus Pass Scheme had been underestimated and would have a significant impact.

The Borough Treasurer advised that the Bus Pass Scheme was a high impact, high risk area. Additional income streams would need to be found in the future otherwise Council services would be seriously reduced.

Budget proposals for car parking charges in 2008/09 included increases from £0.50 to £0.60 per hour and from £3.00 to £3.60 per day. An increase in charges to make up for the income lost through free car parking would not be achievable.

Reserves of 7% of the net revenue budget were being maintained and all projections assumed that this would be maintained.

A Member asked whether the information sent to all Members on 13 July 2006 anticipating losses of between £300,000 and £400,000 if free car parking were introduced and stating that people would re-locate from long stay to short stay car parks was accurate. The Borough Treasurer confirmed that this information was accurate.

The Borough Treasurer was asked how budget savings and efficiencies were achieved during the budget process and advised that the process had changed in the last year or two. A budget was put together and the budget strategy agreed in June. Managers then put together a draft budget. This was reviewed then and economies sought. This process involved discussions with Members.

9 January 2008

A Member stated that in July 2006 Councillors decided to remove one third of a million pounds in income and asked whether any Councillors had made suggestions as to how that loss of income could be made up. The Borough Treasurer replied that no suggestions had been made in that particular year nor in the 18 months since then.

The Chairman thanked Members of the Committee and officers for the work they had put into the scrutiny of car parking charges.

The proposals put forward by the Chairman earlier in the meeting were seconded and agreed by the Committee

RESOLVED: That the Community and Environment Board be recommended to:

- a) take full cognisance of the evidential findings of the Committee;
- b) in considering the existing charging regime or in making any alterations to the existing charging regime in the Borough's car parks, the Board give full regard to the evidence presented by the Overview and Scrutiny Committee as well as the implications to the Borough Council's finances;
- c) note the advice of officers regarding the best utilisation of income streams;
- d) note the Overview and Scrutiny Committee's concern over the lack of parity in charging between short stay car parks in Lee-on-the-Solent; and
- e) note the conclusion of the Overview and Scrutiny Committee that car parking charges are only one of many factors that influence shoppers.

## **BRIEFING NOTE**

Date:	9 JANUARY 2008
Title:	CAR PARKING CHARGES
Author:	DEPUTY CHIEF EXECUTIVE
Purpose:	For Information

### **Purpose**

The purpose of this report is to provide background information and highlight a number of issues to assist the Committee's scrutiny of Car Parking Charges.

### **Background**

#### Town Centre

Car parking charges were introduced into the Borough in November 2004. This included 3 Long Stay Car Parks and 10 Short Stay Car Parks with a maximum stay 3 hours at 50p per hour.

Jamaica Place North and South Car Parks became free car parks in summer 2005 but still have a maximum stay of 3 hours.

Long Stay Car Parks within the Town Centre are currently 50p per hour up to £3 for 24 hours. From early December 2006 the Short Stay Car Parks in the Town Centre (excluding Jamaica Place North and South) became free for 2 hours but still require that a ticket must be displayed. (Car park users must insert any coin into the machine to obtain a 2 hour free ticket and their coin is returned).

#### Lee on the Solent and Foreshore

Prior to November 2004 the Foreshore Car Parks at Lee on the Solent and Stokes Bay were free in the winter months but during the summer months the following Car Parks had an attendant taking payments:

- Beach Road (LoS)
- No 2 Battery (Stokes Bay)
- Pebble Beach (Stokes Bay)
- GAFIRS (Stokes Bay)

The charges at this time were:

- Cars: £3 per day (£2 per half day)
- Coaches: £15 per day (£10 per half day)

Permits for the Foreshore Car Parks were available at £12 for residents and £60 for non-residents. When pay and display was introduced, all the Foreshore Car Parks were Long Stay apart from the Shoppers Car Parks, Marine Parade West 1 & 2 Car Parks and Flower Buildings Car Parks which were 3 hours maximum stay. Charges for the short stay car parks are 50p per hour with the long stay being 50p per hour/£3 for 24 hours. Permits for the Foreshore Car Parks are now £60 for the year for residents and non-residents.

The following appendices are attached:-

Map and Key- Gosport Town Centre Appendix A

Map and Key-Lee on the Solent Appendix B

Map and Key-Stokes Bay Appendix C

Car Park Information Appendix D

### **Traffic Management Issues**

Powers are given to Local Authorities to construct car parks primarily for the purpose of relieving or preventing traffic congestion and to protect the safety and amenity of road users.

All District and Borough Councils are required by legislation to seek consent from the County Council for the introduction or variation of Parking Orders pursuant to Sections 35(1) and 39 of the Road Traffic Regulation Act 1984.

It is the view of the County Council that car parks and charges should be used to complement their transport policies aimed at encouraging more sustainable travel through modal shift to walking, cycling and use of public transport. Any proposed changes in the parking regime are judged against those criteria.

The availability and location of parking spaces, the permitted duration of stay and the price will influence mode and route of travel. In view of the heavy congestion on Gosport primary road network, trips to Portsmouth by ferry should be encouraged. The combination of ferry and parking costs influence mode choice and route. Increases in long stay costs encourage more driving especially by

those living further away from the ferry, as these costs have to be paid on a daily basis giving rise to a significant cumulative cost.

The introduction of long stay charges resulted in a significant reduction in parking in the long stay car parks and resolved the problem of inadequate parking capacity in the town centre. However there has been some displacement of parking to residential roads. A report was submitted by the Head of Traffic Management to a Parking Working Group on the problem though the Council has not resolved to do anything about it. 34 complaints were received in a period of 18 months from November '04 to March '06. There has been a steady trickle of complaints since, now mainly related to the Willis Road / Anchorage area and Grove Avenue.

By contrast, short stay charges are paid infrequently and would not be expected to have a lasting effect on either patronage of the town centre or parking in residential roads, or as great an influence as long stay charges on mode of travel.

Past surveys (before Gunwharf) have indicated that ferry use is substantially confined to residents of Gosport and Stubbington. The use of the Borough's car parks for park and ride in this manner is not harmful whilst there remains capacity to support the needs of the town centre and it creates an opportunity for revenue.

### Lee on Solent

Abuse of waiting restrictions within Lee on Solent High Street and Pier Street is a perpetual problem. This results in some obstructions of buses, deliveries and through traffic. These problems might be reduced by the restoration of some free one hour shopper parking in proximity to the pelican crossing, giving some parity with nearby Stubbington whilst not significantly reducing the supply of longer stay spaces for those wishing to make leisure visits to the resort. Any permitted free period of stay should not be attractive to most walkers and users of the beach as it will undermine the function of the car park and the long stay revenue. For this reason a free stay of longer than 1 hour could not be recommended.

### **High Street Footfall Figures**

*The following paragraph contains a brief analysis of the effect that car-parking charges, introduced on 15<sup>th</sup> November 2004 and then subsequently removed in November 2006, had on Gosport's High Street Footfall figures. (see Appendix E)*

High Street Footfall figures are used as an indicator, over a period of time, to establish whether Gosport High Street has become more or less successful. Whilst the footfall results do not directly indicate the success of individual shops or give an indication of the value of transactions, it does give a litmus test to the current shopping trends. The footfall data is collected on a quarterly basis and is

monitored on Tuesday, Thursday and Saturday simultaneously at three different points of the High Street. On Tuesday and Thursday footfall, it is monitored at 10am, 12pm and 3pm for 20 minutes each time and on Saturdays for 40 minutes at 10am. For each period on each day, the weather conditions are recorded. Adverse weather conditions have an impact on the amount of shoppers.

Footfall has been recorded in this manner since Quarter 2 2004 and has shown a slight decline over the 15 monitored periods. Over the monitored period, Quarter 3 generally has the highest amount of footfall with lowest occurring in Quarter 1.

The Car-parking charges were introduced before the quarter 4 2004 footfall results were recorded and this quarter represents the highest recorded level of Customer Footfall per minute.

Over the period of car-parking charges there has been a slight downward trend in footfall figures. Quarter 1 2006 shows the lowest recorded footfall rate although there were extreme weather conditions experienced in this week including snow and sleet.

Since the short stay car-parking charges have been removed in November 2006 the downward trend has halted, although quarter 4 2006 was still lower than quarter 4 2005 and quarter 4 2004.

It is impossible to say definitively whether the car-parking charges have had an impact on usage of the High Street. The downward trend in recent years is more likely attributable to the retail offer in Fareham town centre and Gunwharf plus other external factors such as purchasing over the internet.

At a recent meeting the Council's market operator has repeated the previous assertion that charging for parking is not considered to be an issue that affects the viability of the market.

To summarise the survey data does not demonstrate a statistically significant variation in footfall in the Town Centre due to the changes in recent years to car parking charges.

### **Car Park Survey Analysis**

Surveys of car park occupancy (See Appendix G) were undertaken on several days prior to and following the introduction of free parking in December 2006 and January 2007 respectively. The results were variable but displayed no significant overall changes in the levels of occupancy. The changes measured could not be solely attributed to the cost of parking as there are many other factors effecting patronage, such as duration of stay, seasonal trends, weather, special events and so on, especially around the Christmas period

## **Comparative Charging Data**

Comparative charging data is included for Fareham, Eastleigh, Havant and Portsmouth in Appendix F

## **Car Parking Income data**

The car parking Income for 2005/06, 2006/07 and 2007/08 is shown in Appendix H for both the short stay and long stay car parks. The income received from the long stay car parks has reduced since the short stays were made free although this could be partly the result of other factors.

## **Gosport Town Centre Principal Shopping Centre Quantitative Survey**

Officers have carried out a number of Principal Shopping Centre Quantitative surveys since November 1997 and these are shown in Appendix I.

## **Gosport Ferry Passenger Numbers**

The numbers of passengers using the Gosport Ferry each month from December 2003 to March 2007 are detailed in appendix J.

## **Budget Considerations**

Whilst car parking charges were introduced partly as a traffic management measure, income generation was also a (valid) consideration. Making short stay parking “free” has had the predicted effect of a £25,000 per month income loss. Because Council Tax increases are capped, this annual shortfall of £300,000 can only be made good in the long term by reducing other budgets – primarily cutting services.

It is well reported that the Council is facing a funding crisis over the next 3 years with the need to reduce net General Fund spending by approximately 10% over that timescale – an average of over £400,000 per annum of new cuts, efficiencies or additional income. If this challenge is met by cuts alone, service levels will dramatically deteriorate.