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<b>Board/Committee:</b>	Full Council
<b>Date of meeting:</b>	10 May 2023
<b>Title:</b>	Community Skips
<b>Author:</b>	Head of Planning & Regeneration & Assistant Chief Executive
<b>Exempt info-Public Interest Test</b>	The report contains details of the financial affairs of the Council and a third party at a time when contract documents are not finally concluded. Completion of the contract could be prejudiced if this information was made public which may have an adverse impact on the contract arrangements to the detriment of the Council Tax payers. The public interest in maintaining the exemption therefore outweighs the public interest in disclosing the information.
<b>Status:</b>	For Decision

### **Purpose**

To update Members on required changes to the community skip scheme following a trial period.

### **Recommendation**

That the Board approves the continuation and funding of the community skip scheme as detailed within the report and approves the direct award of a revised contract to T.J. Waste as a “waiver” to the Council’s Contract Procedure Rules (CPRs). The contract to consist of a 6 month term with the option to extend for a further 6 month period.

#### **1.0 Background**

1.1 For a number of years up to 2010, a community skip service was provided which enabled householders to dispose of larger household items free of charge. Ward Councillors were given an annual allocation of skips for which groups of at least six residents could apply. The Councillor community skip service ceased in March 2011.

1.2 At the Policy and Organisation Board meeting held on 12th September 2022, the Board approved the introduction of a free community skips scheme for an initial 6 month trial period, with possible contractual extensions up to a maximum of 3 years. The original budget provision was £36,400 and it was noted that further funding would need to be identified and further approval obtained for any extension beyond the identified trial period. The aim of the scheme was to provide the opportunity for residents to dispose of their waste in a convenient location to help address concerns relating to an increase in fly-tipping.

- 1.3 The trial commenced on 8th October 2022 and consisted of supplying skips on a weekly basis on Saturdays at multiple agreed sites across the borough.
- 1.4 The trial scheme was well attended with positive feedback from the public. Over an initial 9 week period, a total of 82,640kg of waste was collected. Individual skip weights ranged from 920 to 5,920kg. A total of 39 skips were used over this period.
- 1.5 To ensure all Health and Safety requirements and legal responsibilities were being discharged, a review was undertaken in December 2022 and the trial scheme was temporarily paused. Advice was sought from Health and Safety Officers and the Environment Agency to ensure all relevant requirements were being met. As of 1 January 2023, new legislation has also been introduced relating to the disposal of persistent organic pollutants (POPS). The 6 month trial period ended on 31 March 2023.

## 2.0 **Report**

- 2.1 It is proposed to re-commence the community skips scheme from 20 May 2023. The scheme will be a safe and efficient operation with waste appropriately separated, maximum opportunity to re-cycle and adequate measures in place to ensure the safety of all users.
- 2.2 The scheme will continue to be operated under RPS 223 which allows for temporary community waste collection points for specific purposes such as addressing fly tipping. The period for review of the RPS had expired at the time of the initial trial but the guidance stated that its provisions continued to apply until review or withdrawal. The RPS has now been reviewed as of February 2023 and sets out the conditions for operating such an arrangement of waste disposal and is attached as Appendix 1.
- 2.3 Six sites are proposed for immediate use with the following provisional dates:-  
  
Saturday 20 May - Gosport Leisure Centre, Holbrook  
Saturday 27 May - Walpole Park  
Saturday 3 June - Alver Valley West car park, Lee  
Saturday 17 June - White's Place car park (subject to confirmation from TJ Waste)  
Saturday 1 July - Green Lane car park  
Saturday 15 July - Pebbles Beach car park, Stokes Bay
- 2.4 Other sites will also be assessed and added to the available list of sites if suitable. Skips will, again, be provided at each site and supplemented with suitable containers to ensure appropriate separation of the various types of waste to meet legislative requirements.
- 2.5 The service will be available for residents on a bi-weekly basis on a Saturday between the hours of 9.30 and 11.30 (TJ Waste to confirm and

finalise times), with the skips being rotated around the suitable sites. To ensure full availability following the paused period, the first 3 skips events will run on a weekly basis moving to bi-weekly after the first 3 events. The contract will allow for flexibility in these arrangements going forwards provided this remains within the overall agreed cost envelope.

- 2.6 The current contractor, T J Waste, provided an excellent service throughout the trial and has offered professional help and advice to inform the proposed changes being made to the service. Due to their expertise in waste collection and disposal, the intention is to “contract out” the entire skips service, with TJ Waste undertaking responsibility for running the end to end service at each event.
- 2.7 TJ Waste are a large and very experienced company and they are re-cycling 95% of all the waste they collect. All GBC waste will be separated as required by legislation and processed at the TJ Waste site. Statistical returns will be provided concerning the levels of re-cycling of GBC waste but this is expected to be at the 95% rate TJ Waste are achieving. There are no proposed changes to the types of waste that can be accepted at the community skip sites.
- 2.8 The sites will be managed and staffed by TJ Waste who hold the necessary certifications and insurance for this type of operation. TJ Waste will supply all site staffing, including a supervisory officer; each site will be risk assessed and a site plan prepared. The sites will have barriers and signs to effect safe pedestrian/vehicular control.
- 2.9 Arrangements have been provisionally agreed with the contractor but there will need to be some flexibility going forwards to maximise the benefit from a continued learning opportunity and to ensure the scheme achieves its desired aims whilst ensuring ongoing compliance with the RPS223 guidance.

### 3.0 **Procurement**

- 3.1 The Council must consider the Public Contracts Regulations 2015 and its own CPR's when awarding any contract, the CPR's allow for a “waiver “ of the CPR's for specific projects if certain conditions apply. The revised full term contract value is below PCR threshold for a services contract which is £213,477 so the Council is not bound by the Regulations but by its own CPR's.
- 3.2 The Council, when making such a decision, must consider best value and competition. The initial trial contract was an advertised tender and so competition was tested; to undertake a full tender process at this stage would increase costs when a competitive process has been recently undertaken. However, the Council must ensure compliance with the law and intends to undertake a further competitive tender at the end of the 1 year term.

3.3 Members are therefore asked to approve this “Waiver” based upon cost and efficiency savings along with urgency to ensure further fly-tipping is tackled as a high priority.

4.0 **Finance:**

<b>Cost of Scheme from 20/5/23 to 30/3/24 (allowing for initial 3 consecutive weeks and no service between Christmas and new year (24 events))</b>	<b>£111,648.00</b>
<b>Insurance Cover</b>	
<b>PL cover</b>	<b>£7,000.00</b>
<b>Motor Indemnity cost</b>	<b>*£7,500.00</b>
	<b>(*£2,500 per excess, maximum of 3 per year, total £7,500 (worst case))</b>
<b>Total</b>	<b>£126,148.00</b>
<b>Approved budget 2023/2024</b>	<b>£123,850.00</b>
<b>Additional resource required to operate revised scheme to 31.3.24</b>	<b>**£2,298.00</b>
<b>** the additional resources required in 2023/2024 can be funded from the savings of £18,756 in 2022/2023 due to the scheme being paused</b>	

5.0 **Risk Assessment**

5.1 DEFRA have published a consultation on environmental targets including waste as a result of the recent Environmental Act 2021. If targets are not achieved it is possible financial penalties would be incurred. We do not yet know what these targets or penalties will consist of until the final waste strategy is published. The Council has a duty to report all waste collected from its residents.

5.2 All Hampshire Authorities are members of Project Integra and have signed up to the Joint Municipal Waste Management Strategy (JMWMS). The deposit of waste into community skips will be monitored to ensure compliance with the JMWMS aims and objectives. The impact of the scheme on fly tipping will also be monitored.

## 6.0 Conclusion

- 6.1 The original community skip service and subsequent trial were popular and well-attended when implemented. The revised scheme will enable Gosport's residents to dispose of unwanted items free of charge at a collection point in their local area on a regular basis. The service will supplement the current disposal services offered by Gosport Borough Council and Hampshire County Council.

<b>Financial Services comments:</b>	Contained within section 4 of the report.
<b>Legal Services comments:</b>	
<b>Equality and Diversity:</b>	Contained within Community Skips IIA
<b>Climate Change implications:</b>	Contained within Community Skips IIA
<b>Crime and Disorder:</b>	Scheme purpose is to help address concerns relating to fly tipping.
<b>Service Improvement Plan implications:</b>	
<b>Corporate Plan:</b>	The Council's aim through delivery of this service is to improve the quality of service and accessibility to an additional waste disposal service for Gosport residents.
<b>Risk Assessment:</b>	Contained within section 5 of the report.
<b>Background Papers:</b>	Report to P & O Board 12 September 2022
<b>Appendices:</b>	RPS223
<b>Report Author/Lead Officer:</b>	Debbie Gore