

NEIGHBOURHOOD SERVICES COMMITTEE

AGENDA



Monday 21 January 2019

at 4.00 pm

**in Committee Room B,
Civic Centre, Hartlepool.**

MEMBERS: NEIGHBOURHOOD SERVICES COMMITTEE

Councillors S Akers-Belcher, Belcher, Cassidy, James, Loynes, Marshall and T Richardson.

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

- 3.1 To receive the Minutes and Decision Record of the meeting held on 17 December 2018 (previously circulated)

4. KEY DECISIONS

- 4.1 Tees Valley Joint Waste Management Strategy – *Director of Regeneration and Neighbourhoods*
- 4.2 Public Space Protection Orders – *Assistant Director (Environment and Neighbourhood Services)*

5. OTHER ITEMS REQUIRING DECISION

- 5.1 St. Aidan's, Stockton Road – Proposed Puffin Crossing – *Assistant Director (Environment and Neighbourhood Services)*



6. ITEMS FOR INFORMATION

None.

7. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

FOR INFORMATION

Date of next meeting – Monday 25 February 2019 at 4.00 pm in the Civic Centre,
Hartlepool.



NEIGHBOURHOOD SERVICES COMMITTEE

21st January 2019



Report of: Director of Regeneration and Neighbourhoods

Subject: **TEES VALLEY JOINT WASTE MANAGEMENT STRATEGY**

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Key Decision (test (ii)) Forward Plan Reference No. RN33/18.

2. PURPOSE OF REPORT

2.1 This report seeks approval for Hartlepool Borough Council to adopt the Tees Valley Joint Waste Management Strategy. The strategy has now been subject to public consultation which ended on 30th November, 2018.

3. BACKGROUND

- 3.1 The Tees Valley Authorities; Redcar & Cleveland Borough Council (RCBC), Stockton-on-Tees Borough Council (SBC), Middlesbrough Borough Council (MBC) and Hartlepool Borough Council (HBC) have an existing waste treatment solution under contract with Suez (formerly SITA) until 2020. The arrangement was put in place as part of a joint procurement between the four Local Authorities on Teesside in 1995 and led to a 250,000 tpa (tonnes per annum) Energy from Waste (EfW) incineration facility being built by Suez at Billingham. The facility came online in 1998 and has now been in operation for over 20 years.
- 3.2 The four Tees Valley Authorities currently deliver approximately 183,000 tonnes of municipal waste into the Haverton Hill site. This is the non-recyclable residual waste collected both at the Kerbside and at our Household Waste Recycling Centre. The Tees Valley Authorities do not own any stake in the facility but pay a gate fee for the processing of each tonne of waste which is delivered to the plant. The waste is in turn converted to energy which is fed in to the national grid.

- 3.3 The current gate fee of £54.09/t for processing waste under the contract is one of the most competitive rates in the country. The median gate fee for all EFW from the 2016 Waste & Resource Action Programme report was £86/t.
- 3.4 The current contract with Suez for waste disposal is due to end in 2020. In partnership with Tees Valley Authorities, options were explored to determine the most cost-effective approach for residual waste treatment over the next 5 years, and this determined that a contract extension, albeit at an increased price was the best option, as the price was still well below market rates.
- 3.5 It is important to note that the price of waste disposal is expected to increase significantly over the coming years. The work outlined in this report is aimed at mitigating some of these price pressures, however it is expected that there will still be increases in the price of waste disposal that the Council will have to absorb.
- 3.6 In order to plan for the future and place the Tees Valley in the strongest position, the Tees Valley Authorities agreed a strategic outline business case to progress options for post 2025. Key to this is providing not only a long-term solution for dealing with waste but also a tangible contribution to local economic growth, turning our waste in to opportunity and supporting the circular economy.
- 3.7 Under the Strategic Outline Business case the following outcomes for this programme of work were agreed:
- Have a well-developed alternative option to contract extension, giving a strong negotiating position in 2025 (with work beginning in 2017/18 in order to have enough development time for credible options);
 - Have a well-developed long-term solution and waste strategy (2025 - 2045 and beyond) to provide certainty and financial stability for each authority;
 - Provide increased benefit from the energy output of the Energy for Waste (EfW) where the current contract does not;
 - Contribute positively to the local circular economy. For example, helping local energy-intensive industries or extracting useful materials to be used locally;
 - Provide opportunities to increase recycling of our waste;
 - Contribute positively to the future regeneration and infrastructure of key development sites;
 - Promote jobs and growth.
- 3.8 The current arrangement for treatment of the waste collected by the Tees Valley Councils (excluding Darlington) is via a long-term contract with Suez. The 5-year extension means that a new solution will be required, to treat the area's residual waste, by 2025. A single supplier currently dominates waste treatment in the area and so, in order to drive value for money, a viable alternative must be available.

- 3.9 All the Tees Valley Councils have therefore agreed to the development of an Outline Business Case (OBC) to identify the most appropriate solution that will meet the needs of the whole Tees Valley area for the foreseeable future.

Delivery of the Outline Business Case (OBC)

- 3.10 To provide a sound OBC it must be consistent with a valid Waste Management Strategy, in this case one that is adopted by all the Tees Valley Councils.
- 3.11 The existing Joint Waste Management Strategy (JWMS) only covers the period up to 2020, and so it needs to be refreshed and updated to take account of current policy direction. The Councils have agreed that the new JWMS will cover the period from 2020 to 2035.

Joint Waste Management Strategy for the Tees Valley

- 3.12 The JWMS for the Tees Valley sets out the Council's approach to the management of Local Authority Collected Waste over the period from 2020 to 2035. The strategy will be supported by action plans that will provide details of each individual Council's activities at a local level; these will be prepared by the individual Councils.
- 3.13 The strategy document has been developed in conjunction with:
- an Options Appraisal which considers a number of different ways to achieve the objectives in this strategy; and
 - A Strategic Environmental Assessment (SEA), which has been carried out to assess if the proposed strategy is likely to have any significant adverse impact on the environment.
- 3.14 There has been a review of existing and proposed policy at a local, regional and national level to inform the key themes for the JWMS, these were developed and agreed with members and officers at a workshop in March 2018.
- 3.15 At the same time the SEA Scoping Document was developed to ensure that the environmental issues most important to the Tees Valley area are included in the SEA.
- 3.16 The SEA Scoping Document was then subsequently sent out to the statutory consultees during June and July, and any responses received have been taken into account in the drafting of the SEA Environmental Report that will accompany the JWMS for public consultation.
- 3.17 A second workshop was then held in May 2018 with officers to agree the evaluation criteria by which the strategy options were to be assessed together with weightings/prioritisation; this built on the earlier discussion with members and officers at the March Workshop. This process has been completed and an Options Appraisal Report produced.

- 3.18 Key stages in the options appraisal process have included:
- Firstly, developing the waste strategy objectives, through workshop sessions with officers and elected members from each of the representative Councils, that included identifying key issues/drivers for the strategy by considering the policy and legislative context;
 - Identifying options for delivering the waste strategy objectives again with input from officers and elected members;
 - Agreeing the options appraisal process, i.e. the assessment method, scoring of evaluation criteria, weighting of evaluation criteria; and
 - Undertaking a detailed appraisal of each of the options based on the agreed evaluation criteria to help identify a Preferred Option.
- 3.19 The options considered were:
- Do nothing
 - Residual waste solutions
 - Further contract extension
 - New Build Energy Recovery Facility (ERF)
 - New Build Refuse Derived Fuel Facility (RDF)
 - Utilising 3rd Party ERF Capacity
 - Collection solutions
 - High Efficiency
 - High Recycling Performance
 - Prevention, reuse and recycling initiatives
 - Combination of options
- 3.20 The preferred option selected was:
- The adoption of prevention, reuse and recycling initiatives;
 - The introduction of high recycling performance collections including separate food waste collections; and
 - A new energy recovery facility with the ability to utilise the heat produced, through the development of Combined Heat and Power (CHP) facility.

It should be noted that this option is consistent with the existing strategy.

- 3.21 The JWMS strategy together with the supporting Options Appraisal and SEA Environmental Report formed the basis of the consultation, which closed on 30th November 2018.

Summary of Joint Waste Management Strategy

- 3.22 The new Tees Valley Joint Waste Management Strategy (2020-2035) (**Appendix 1**) sets out the approach to the sustainable management of waste within the Tees Valley and the priorities for action over the next fifteen years. It provides the framework for how the Councils will work towards reducing the amount of waste produced, to recycle as much material as possible and find the most sustainable solution to deal with any waste that remains.

Tees Valley Vision for the Future – Sustainable Waste Management

3.23 The Tees Valley Joint Municipal Waste Management Strategy was built on the aims and objectives of the existing strategy and developed in conjunction with Members and Officers. It aims to deliver a high quality, accessible and affordable waste management service that contributes to:

- Economic regeneration, including employment and a more circular economy;
- Recognising waste as a resource to maximise income;
- The protection of the environment and natural resources;
- Reducing the carbon impact of waste management;
- Delivers customer satisfaction;
- Reduces the amount of waste generated by householders and the Councils;
- Increases reuse and recycling;
- Then maximises recovery of waste; an;
- Works towards zero waste to landfill.

3.24 The Tees Valley Councils, working in partnership, are committed to work towards this vision for waste management and support the necessary changes in behaviour and practice to make this happen, whilst at the same time balancing financial commitments and budgets and delivering a high-quality service and supporting local self-sufficiency.

Next Steps

3.25 The JWMS document provides a framework for action in Tees Valley. Following the adoption of the JWMS, each of the Tees Valley Councils will develop an individual action plan to tailor the delivery of the preferred option to complement their current services and reflect their specific local circumstances and operations.

Measuring Success

3.26 It is proposed that the strategy will be subject to review on a five-yearly basis.

3.27 It is intended that the performance of the JWMS will be monitored against the following performance measures, which will be regularly reported to residents via a range of formats.

Performance measures	Unit/metric
Waste generation:	Waste generated per household per year
Reuse and recycling	% of waste recycled per year
Waste recovery and landfill diversion	% of waste landfilled per year

Timeframes

- 3.28 The current contract with Suez has been extended to 2025. However, the timescales associated with developing a new treatment option to replace the current arrangements are such that it is essential that the JWMS is adopted in January 2019.

4. FINANCIAL CONSIDERATIONS

- 4.1 This will have capital and revenue implications for the Authority as outlined in the report. The OBC will also provide significant cost avoidance for post 2025.
- 4.2 The current contract with Suez for waste disposal is due to end in 2020. In partnership with Tees Valley Authorities, options were explored to determine the most cost-effective approach for residual waste treatment over the next 5 years, and this determined that a contract extension, albeit at an increased price was the best option, as the price was still well below market rates. As part of this arrangement Suez sought an upfront payment to invest in the life cycle and essential maintenance of the plant. The total costs of this investment will be £11.7M split between the four authorities. If this cost is then added to the gate fee over the 5-year extension period, the gate fee still remains significantly below the national average. Based on HBC's current inputs to Suez making up 16% of the contracted waste, our contribution to the £11.7M equated to £1.872m.
- 4.3 The Tees Valley Combined Authority has funded the Strategic Outline business case recognising both the contribution and opportunities the waste collected by the local authorities provides the Tees Valley circular economy. The cost of developing the SOBC is £450K.

5. LEGAL CONSIDERATIONS

- 5.1 The extension of the contract with Suez will have legal implications. The contractual work for this is being led by Stockton Council's legal department on behalf of the 4 Authorities.

6. CONSULTATION

- 6.1 Consultation has taken place with Tees Valley Chief Executives, Tees Valley Waste Management Group, Cabinet, elected Members through workshops, Tees Valley Combined Authority and the general public via Council Websites
- 6.2 Consultation responses to all the Tees Valley Council's websites are attached as **Appendix 2**.
- 6.3 Responses comprised of comments about the current service delivery, complaints about the Council generally and specific comments on the particular elements on the strategy, including income maximisation.

- 6.4 In general, public response was broadly supportive of the strategy, whilst expressing concern over aspects of the collection service such as charging for green waste collections, frequency of residual waste collections (no reduction in frequency) and the potential for food waste collections. The consultation responses did not indicate any need to revise the Preferred Option or JWMS.
- 6.5 It is proposed that the Council will consider and take into account the public consultation responses when making future operational waste management decisions.

7. RISK IMPLICATIONS

- 7.1 In order to plan the future and place, the Tees Valley local authorities in the strongest position it is essential we have an outline Business Case developed to project options post 2025. Key to providing this is not only a long term solution for dealing with waste but a tangible contribution to local economic growth.

8. OTHER CONSIDERATIONS

8.1

Child/Family Poverty Considerations	No relevant issues
Equality and Diversity Considerations	No relevant issues
Section 17 of The Crime And Disorder Act 1998 Considerations	No relevant issues
Staff Considerations	No relevant issues
Asset Management Considerations	No relevant issues

9. RECOMMENDATIONS

- 9.1 It is recommended that:

Neighbourhood Services Committee approves the adoption of the Tees Valley Joint Waste Management Strategy.

10. REASONS FOR RECOMMENDATIONS

- 10.1 The JWMS sets out the Tees Valley approach to the management of the Local Authority collected waste over the period 2020-2035.

11. BACKGROUND PAPERS

- 11.1 There are no background papers relating to this report.

12. CONTACT OFFICER

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Tees Valley Joint Waste Management Strategy

2020 to 2035

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Introduction

This document is the Joint Waste Management Strategy for Tees Valley. It has been produced by the five local councils that comprise Tees Valley: Darlington Borough Council, Hartlepool Borough Council, Middlesbrough Council, Redcar and Cleveland Borough Council, and Stockton-on-Tees Borough Council.

The strategy sets out the joint approach to the sustainable management of waste within the Tees Valley and prioritises actions for the next fifteen years. It provides the framework for how the councils will work towards reducing the amount of waste produced, to recycle as much material as possible and find the most sustainable solution to deal with any waste that remains.

In recent years the amount of waste produced in Tees Valley has remained relatively constant and the amount of waste sent to landfill has reduced. However, there has been no increase in the amount of waste recycled. Currently only 34% of the household waste produced is recycled. So, there is still much more to be done before recycling becomes second nature and the amount of waste everybody produces each year falls.

Policy Context

The way that waste is managed in Tees Valley has been shaped by both National and European policies that has evolved over time setting out targets for recycling, limits on landfill, and encouraging activity around waste prevention.

The UK's decision to leave the European Union does create a degree of uncertainty over the future development and implementation of environmental policy and legislation, particularly over the next few years.

However, the 25-Year Environment Plan published by Defra in January 2018 makes a number of statements with regards to future environmental policy and legislation

In the Foreword, the Prime Minister states:

'When the United Kingdom leaves the European Union, control of important areas of environmental policy will return to these shores. We will use this opportunity to strengthen and enhance the protections that our countryside, rivers, coastline and wildlife habitats enjoy, and develop new methods of agricultural and fisheries support which put the environment first.'

Further, in Section 2 on 'Putting the Plan into practice', it states:

'The Plan coincides with the once-in-a-generation opportunity presented by our leaving the EU. We will make the most of the chance to improve our environmental policy framework, align it with the ambitious goals we have set, and lead from the front in pursuit of higher standards across the world.'

The European Union (Withdrawal) Bill will ensure that the body of existing EU law, including environmental law, continues to hold sway in the UK. Key underlying principles of existing policy, such as the 'polluter pays' principle and the precautionary principle, are reflected in this legislation and in the historic judgements of the European Court, also covered by the Bill.

We will be consulting on the development of a policy statement on environmental principles to underpin policy-making post-EU Exit. This will provide maximum certainty about environmental regulations as we leave the EU.'

In addition, with regards to minimising waste, the 25-Year Plan makes the commitment:

'meeting all existing waste targets¹ – including those on landfill, reuse and recycling – and developing ambitious new future targets and milestones'.

A new Resources and Waste Strategy is expected to be published by Defra before the end of 2018. Defra's stated ambition is for the UK to *'become a world leader in resource efficiency, resource productivity and increasing competitiveness'*.

This strategy and current national policy are based on the principle of the waste hierarchy (Figure 1). The waste hierarchy is an important approach in waste management and it presents a number of waste management stages in their order of priority. It stresses the importance of preventing waste being created in the first instance as the main priority and disposal as the lowest priority

¹ EU targets as well as UK

option. Producing recyclable material of a high quality is also important so that further treatment and disposal is minimised.

Alongside the waste hierarchy is the concept of the circular economy (Figure 2), in which:

- resources are kept in use for as long as possible;
- the maximum value is extracted from them whilst in use;
- products and materials are recovered and regenerated at the end of each service life.

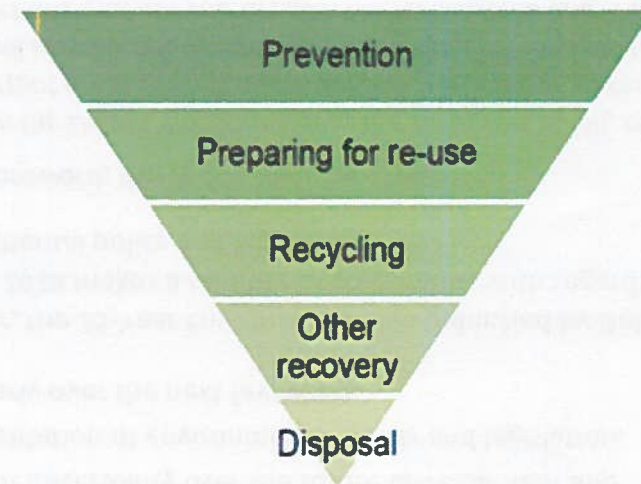


Figure 1 Waste hierarchy

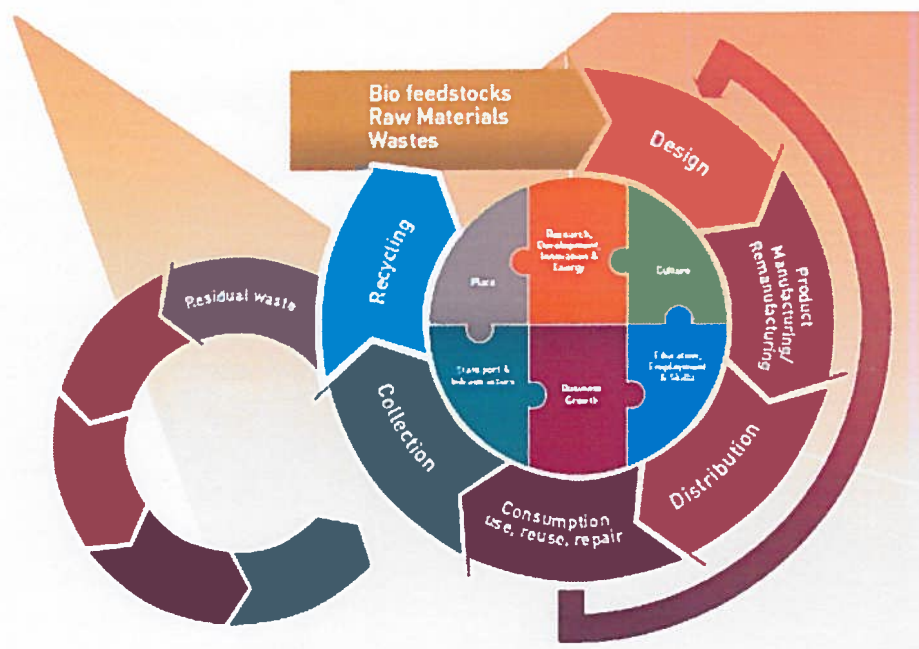


Figure 2 Tees Valley Strategic Economic Plan 2016 – 2026 (Tees Valley Combined Authority)

To support the delivery of a circular economy the following targets have been agreed in Europe, which the UK are expected to adopt:

- 55% recycling target for municipal waste² by 2025
- 60% recycling target for municipal waste by 2030
- 65% recycling target for municipal waste by 2035
- 10% limit on the landfilling of municipal waste by 2035

² Municipal waste consists of the wastes collected and managed by local authorities (known as Local Authority Collected Waste (LACW)) and similar commercial and industrial wastes.

How our Strategy has been developed/evolved

In 2008 the Tees Valley councils produced a joint strategy for the wastes collected and managed by the councils. The principles of the 2008 strategy were:

- to reduce waste generation;
- to be achievable and affordable;
- to work towards zero landfill;
- to minimise the impact on climate change;
- to have an accountable and deliverable structure;
- to contribute towards economic regeneration.

This document considers the work that has been undertaken since the original JWMS was published in 2008 and reviews current performance. It also sets out the strategic objectives that are important to Tees Valley going forward and how it is proposed to support the changes required to meet these objectives.

This Strategy Document

This document covers the period from 2020 to 2035 and sets out Tees Valleys approach to the management of Local Authority Collected Waste (LACW) over this timeframe. The strategy will

subsequently be supported by action plans for each council, which provide detail of individual activities at a local level.

It is intended to review the strategy on a five-yearly basis.

This strategy document has been developed alongside and supported by:

- an Options Appraisal which considers a number of different ways to achieve the objectives in this strategy; and
- A Strategic Environmental Assessment (SEA), which has been carried out to determine if the activities that are proposed to progress in Tees Valley are likely to have any significant adverse impact on the environment.

Waste Management in Tees Valley

Tees Valley

Tees Valley covers an area of 790 km² hectares and has a rich industrial heritage with an economy based around key sectors including advanced manufacturing and engineering, aerospace, automotive, chemicals and processing and offshore oil and gas.

The population of the area is approximately 670,000, averaging 2.3 inhabitants per household, with much of the population centred around the River Tees and Teesmouth.

As with many areas that had a strong historic industrial heritage, there is a high level of deprivation amongst the population, which the Tees Valley Councils and the Tees Valley Combined Authority are working to overcome. It is well known that this situation also presents challenges for the provision and operation of efficient waste management services in particular waste avoidance and high recycling rates.

Council Waste Services

Waste collection services are provided by each local authority through in house services teams.

Kerbside Collections

All councils offer a fortnightly dry recycling collection service, the principal materials collected are paper, card, cans, glass, and plastic

bottles. Some councils also collecting plastic tubs, pots and trays and drinks cartons. These materials are either sorted at the kerbside or at a Materials Recovery Facility (MRF) and then sent to a variety of end markets for sale or further reprocessing.

Refuse is collected weekly in Middlesbrough and Stockton-on-Tees and fortnightly in Darlington, Hartlepool and Redcar and Cleveland.

Garden waste is collected free of charge fortnightly by all authorities, with the exception of Darlington where no service is currently provided.

None of the authorities collect food waste, either mixed with the garden waste or separately as a dedicated service, it remains in the residual waste.

Bulky Collections and Trade Waste³

All Councils offer a charged bulky household waste collection for larger household items

Four of the five Tees Valley local authorities provide a trade waste service. In Middlesbrough businesses are directed to use suitable contracted services.

Household Waste Recycling Centres (HWRCs)

HWRCs are sites to which residents can take items that cannot be collected as they are either difficult or costly to collect from

³Waste collected by the councils from commercial properties

households, e.g. electrical items, household chemicals, furniture and rubble. There are currently four HWRCs across the Tees Valley, where residents can take household waste to be re-used, recycled or disposed of. Residents from each council have access to the HWRC in their home council area, with the exception of Middlesbrough where residents have access to the Haverton Hill HWRC (in Stockton-on-Tees), which is jointly managed by Middlesbrough and Stockton-on-Tees Councils.

A variety of materials are accepted for recycling at all of the HWRCs including wood, oil, batteries, paper, card, metals, textiles, glass, furniture, plastic bottles, garden waste and electrical equipment.

Treatment and Disposal

With the exception of Darlington, household residual waste is treated through an Energy from Waste (EfW) combustion facility at Billingham in Stockton-on-Tees. The residual waste collected from Darlington is currently treated through a residual waste MRF at Aycliffe Quarry, from where the Refuse Derived Fuel (RDF) produced is exported to an EU based EfW facility.

How much waste is produced in Tees Valley?

In 2016/2017 just over 350,000 tonnes of LACW was produced across Tees Valley. This tonnage is equivalent to approximately 1 tonne per household per annum (in 2016/17).

A summary of the total arisings in the Tees Valley is shown in **Error! Reference source not found.**, this covers the last 7 years and is

colour coded by each Council's contribution to total arisings. The actual tonnage data are provided in the Annex.

In addition to the waste collected by local authorities there remains a significant proportion of waste that is generated by commercial and industrial, construction and demolition activities, which is managed by private waste contractors. This is not dealt with by local authorities' and is therefore not a focus of this strategy document.

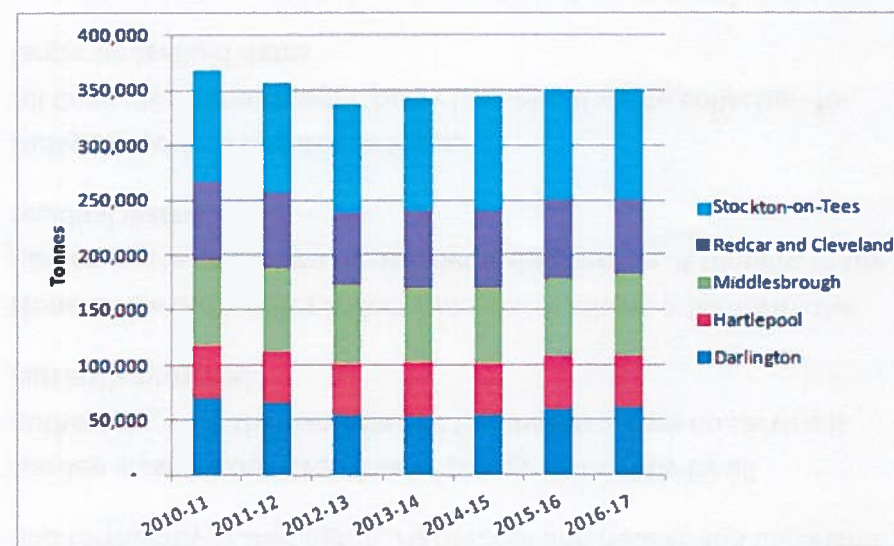


Figure 3 Total LACW produced in the Tees Valley 2010-11 to 2016-17

Waste Trends

The amount of waste produced in 2016/17 can be compared with the tonnage produced since 2010/11. The tonnage data shows a decline up to 2012/13 followed by a steady increase back to the 2010/11 figure. Over this time waste trends have tended to mirror patterns of economic decline and growth.

There are, however, other factors that influenced these figures including housing growth, local authority waste prevention activities and weather conditions (which has an impact on the amounts of garden waste produced). Overall since 2012/13, at the Tees Valley level, the waste produced per household has remained relatively static just below 1 tonne per household per year. At the individual council level, Darlington, Hartlepool and Stockton-on-Tees have seen small decreases whilst Middlesbrough and Redcar and Cleveland experiencing small increases.

Looking forward, across all the council areas population and housing is predicted to increase to 2035. These predicted increases in population and housing means that more waste is likely to be generated across the Tees Valley area, which will also need to be managed.

A range of waste growth scenarios have been considered based on local and national trends. The resulting waste forecasts indicate that between 373,000 to 399,00 tonnes of LACW (Figure 4) will be produced by 2035 compared to the 352,000 tonnes produced in 2016/17. If the economic regeneration planned by the Tees Valley

Combined Authority is realised, this could increase population and housing further resulting in between 392,00 to 420,00 tonnes of LACW by 2035.

For the purposes of waste strategy planning it has been assumed that the future waste growth rate will be approximately 0.25% per annum.

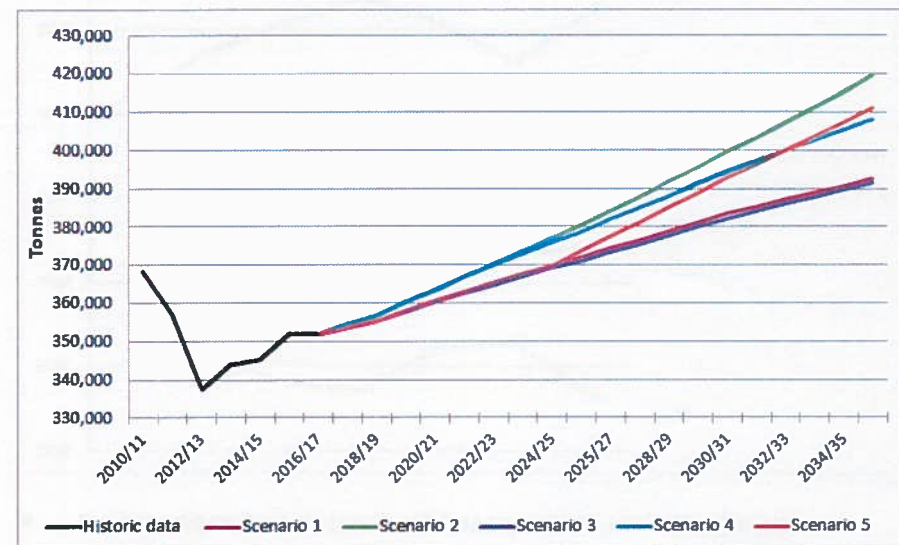


Figure 4 Range of forecast tonnages up to 2035

Recycling and Composting Performance

Over the last seven years there has been little change in the quantity of material collected for recycling and composting across Tees Valley. In 2016/17, the combined household waste recycling rate for the Tees Valley Councils was 34%.

Figure 5 shows the household recycling rates between 2010/11 and 2016/17 for England, the North East region and the combined rate for the Tees Valley Councils. The figure highlights that whilst the performance in Tees Valley is below the national average, the trend is consistent with national performance with household recycling rates remaining relatively static.

In addition, the household recycling rates in Tees Valley are comparable with those achieved across the North East region.

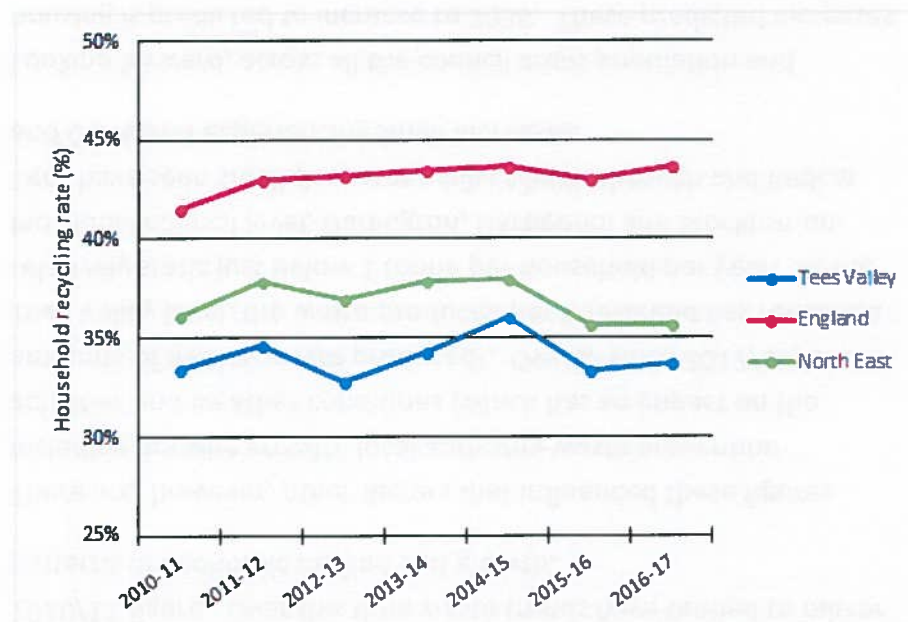


Figure 5 Household recycling rates for Tees Valley, England and the North East region

Treatment and Disposal Performance

Whilst recycling performance has not changed over recent years, there has been a notable improvement in the recovery of LACW and its diversion from landfill.

Figure 6 shows that since 2010/11 there has been:

- a 13% increase in the amount of waste recovered through energy recovery;
- a 10% reduction in the amount of waste sent to landfill

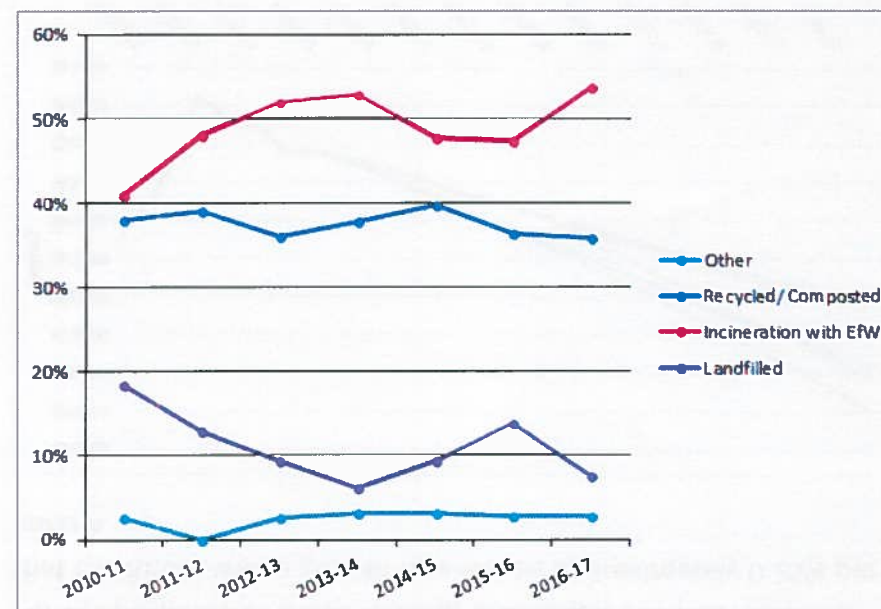


Figure 6 Tees Valley LACW Management Methods 2010/11 to 2016/17

Our Vision for the Future – Sustainable Waste Management

The Tees Valley Joint Waste Management Strategy aims to deliver a high quality, accessible and affordable waste management service that contributes to:

- economic regeneration, including employment and a more circular economy;
- the protection of the environment and natural resources; and
- reducing the carbon impact of waste management.

and:

- delivers customer satisfaction;
- reduces the amount of waste generated by householders and the Councils;
- increases reuse and recycling;
- then maximises recovery of waste, and;
- works towards zero waste to landfill.

The Tees Valley Councils, acting in partnership, are committed to working towards this vision for waste management. This includes supporting the necessary changes in behaviour and practice whilst at the same time balancing financial commitments and budgets to provide a high-quality service supporting local self-sufficiency.

Strategy Objectives

Over the period of the strategy the Tees Valley Councils will seek to achieve the following objectives, always recognising the challenges of delivering increasing levels of high quality recycling efficiently and economically and support from central Government:

Waste generation:

- Aim to maintain the current level of below 1 tonne of household waste per household.

Reuse and recycling:

Increase reuse, recycling and composting of household waste from the current levels to:

- 45% to 50% in the first five year of this strategy (2020 to 2025);
- between 2025 and 2030 seek to further improve reuse, recycling and composting beyond the 2025 levels;
- set targets for beyond 2030 during the strategy review in 2025.

Waste recovery and landfill diversion:

- provide sufficient waste recovery capacity to ensure that no more than 10% of LACW waste is landfilled.

How Do We Achieve the Strategy Vision?

To achieve the strategy for waste management in Tees Valley all parties and stakeholders will need to work together; this means all residents participating and contributing, supported by initiatives from the Tees Valley Councils. There are many different actions that can be taken to support the strategy and produce a visible change. Education will be key in changing attitudes and behaviour and thus improving performance against the objectives and targets.

A wide range of options across the waste hierarchy have been considered, with different combination of the following options being testing through an options appraisal.

Waste Prevention, Reuse and Recycling Options

Raising waste awareness and education campaigns	<p>Various campaigns designed to raise awareness and increase participation in waste prevention and reuse activities, including:</p> <ul style="list-style-type: none"> ■ general education and waste prevention initiatives; ■ general reuse initiatives ■ Love Food Hate Waste ■ Junk Mail ■ promoting smart shopping practices
Home Composting / Digestion	Promote home composting (or anaerobic digestion) to reduce the demand on collection services and treatment capacity
Reuse at HWRCs	Install facilities at HWRCs that allow members of the public to leave and collect items such as furniture, including awareness and promotional campaigns of the service.
Bulky Collection Reuse	Sorting of bulky waste collections to extract reusable goods with a view to refurbishment, reuse and resale, including awareness and promotional campaigns.

Recycling and Composting Collection Options

High efficiency scenario	Which would look at increasing dry recycling performance, through a reduction in residual waste collection capacity and introducing a charge for garden waste services
High recycling performance scenario	Which would look at increasing dry recycling performance through introducing separate food waste collections, reducing residual waste collection capacity and introducing a charge for garden waste services

Alongside these primary options:

Bulky Waste Recycling	Sorting of bulky waste collections to extract recyclable goods in order to improve recycling performance, including awareness and promotional campaigns of the services provided.
Quality: Reducing contamination in recycling/composting	Stronger engagement with residents to increase public understanding of the issues associated with contamination of recycling/composting collections to deliver behaviour change. Combined with tighter management of contamination across all Tees Valley councils.

Residual Waste Treatment Options

The primary waste treatment option at the Tees Valley level:

- Further contract extension (beyond 2025) for the existing EfW contract
- New build energy recovery facility
- New build refuse derived fuel facility (RDF)
- Utilise third party energy recovery facility capacity

Options Appraisal

Twenty combinations of these options were considered against the following criteria:

- Delivers an accessible service with engagement and customer satisfaction
- Reduces the amount of waste generated by householder and managed by the Councils from baseline forecast
- Increases reuse and recycling
- Maximises recovery of waste
- Working towards zero waste to landfill
- Economic regeneration, including employment and a more circular economy
- Protection of the environment and natural resources
- Reducing the carbon impact of waste management
- Affordable (long term measure)
- Deliverability

Full details of the assessment are included in the Options Appraisal Report.

The Preferred Option

The Options Appraisal process identified the following preferred option:

- adoption of prevention, reuse and recycling initiatives;
- the introduction of high recycling collections including separate food waste collections; and
- a new energy recovery facility with the ability to utilise the heat produced, through the development of Combined Heat and Power (CHP).

The Preferred Option would:

- Contribute to reducing the amount of waste generated compared to the baseline forecast;
- Increase the recycling and composting rate by 13-14% by the midpoint of the Strategy period (2027) to bring the overall recycling and composting rate to between 45-50%. This is a significant improvement on the current performance and reflects the challenges faced in an urban industrial setting;
- Further increase the recovery of waste by 3-4%;
- Further reduce the waste sent to landfill;
- Reduce the carbon impact of waste management; and
- Create/secure employment within Tees Valley.

Delivering the Preferred Option

The 2008 JWMS set out a series of policies to support the implementation of the strategy. These existing policies are still valid and consistent with the refreshed strategy aims and objectives.

Therefore, the existing policies are to be retained to help each Council develop local solutions against a consistent policy framework.

Policy 1: Joint Working

We will continue to work together in partnership with other stakeholders in order to ensure sustainable waste management within the Tees Valley to protect the natural environment. We will strive for sub-regional self-sufficiency and be mindful of the proximity principle.

Policy 2: Sustainable Waste Management

We will ensure that the services delivered by the Tees Valley Authorities implement methods of sustainable waste management in line with the Waste Hierarchy.

Policy 3: Waste Awareness and Prevention

We will work with partners to promote waste awareness and prevention and encourage householders, schools and local businesses to reduce the impact of their behaviour with regards to their waste stream.

Policy 4: Waste Collections

We will increase the proportion of material that is collected for recycling and composting through kerbside schemes, bring sites and HWRCs.

Policy 5: Waste Treatment Facilities

We will maximise the amount of material that is recycled, composted or recovered from the residual waste stream.

Policy 6: Residual Waste Stream

We will minimise the amount of waste that is disposed of in line with our principle of working towards zero waste to landfill.

Policy 7: Monitoring and Review

We will regularly monitor and review this Strategy in consultation with stakeholders and the public to ensure that it links with other plans and strategies.

Next Steps

This overarching Strategy document provides a framework for action in Tees Valley.

Following the adoption of the overarching Strategy, each of the Tees Valley Councils will develop an individual action plan to tailor the delivery of the preferred option to complement their current services and reflect their specific local circumstances and operations.

Measuring Success

There are several ways in which success can be measured and progress against the strategy can be determined.

The performance of the JWMS will be monitored against the following performance measures.

Performance measures	Unit/metric
Waste generation:	Waste generated per household per year
Reuse and recycling	% of waste recycled per year
Waste recovery and landfill diversion	% of waste landfilled per year

The Strategy will be reviewed every five years. Progress on delivery of this Strategy will be regularly reported.

Glossary of Terms

AD	Anaerobic Digestion	JWMS	Joint Municipal Waste Management Strategy
AQMA	Air Quality Management Area	LACW	Local Authority Collected Waste
BAP	Biodiversity Action Plan	LATS	Landfill Allowance Trading Scheme
CH₄	Methane	MRF	Materials Recovery Facility
CHP	Combined Heat and Power	N₂O	Nitrous Oxide
CO₂	Carbon dioxide	PO₄	Phosphates
DCLG	Department of Communities and Local Government	RDF	Refuse Derived Fuel
DECC	Department of Energy and Climate Change	SEA	Strategic Environmental Assessment
DEFRA	Department for Environment, Food and Rural Affairs	SO₂	Sulphur Dioxide
EA	Environment Agency	SPA's	Special Protection Area's
EU ETS	EU Emission Trading System	SPZ's	Source Protection Zones
TVJWMS	Tees Valley Joint Municipal Waste Management Strategy	SSSI	Site of Special Scientific Interest
GHG	Greenhouse Gases	WEEE	Waste Electrical and Electronic Equipment
GWP	Global Warming Potential	WRAP	Waste and Resources Action Programme
HPA	Health Protection Agency	WRATE	Waste and Resources Assessment Tool for the Environment
HWRC	Household Waste Recycling Centre		

Annex: Waste Management Data

Total LACW arisings in the Tees Valley 2010-11 to 2016-17

Authority	Tonnes of LACW						
	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Darlington	68,880	65,009	53,809	53,215	54,255	60,221	61,115
Hartlepool	48,995	46,951	46,456	48,394	46,985	46,914	46,524
Middlesbrough	76,858	75,417	71,817	68,235	67,888	71,364	74,399
Redcar and Cleveland	71,715	69,537	66,462	70,384	71,804	70,995	67,612
Stockton-on-Tees	101,997	99,983	99,121	103,582	104,218	102,613	102,466
Tees Valley	368,444	356,897	337,664	343,809	345,150	352,107	352,116
Source: Department for Environment, Food & Rural Affairs							

Management of LACW in the Tees Valley 2010-11 to 2016-17

Authority	Management of LACW (tonnes and %) ³						
	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Recycled/ Composted	138,616 38%	139,754 39%	121,598 36%	130,009 38%	137,252 40%	127,986 36%	126,369 36%
Incineration with EfW	149,359 41%	171,063 48%	175,456 52%	181,777 53%	164,675 48%	166,280 47%	188,870 54%
Incineration without EfW	7 0%	8 0%	5 0%	5 0%	6 0%	24 0%	5 0%
Landfilled	67,056 18%	46,078 13%	31,560 9%	21,116 6%	32,514 9%	48,331 14%	26,956 8%
Other ¹	9,699 3%	- 0%	9,037 3%	10,904 3%	10,706 3%	9,482 3%	9,909 3%
Total ²	364,737	356,902	337,656	343,811	345,151	352,103	352,108

Notes:

1. Other includes waste treated/disposed through other unspecified treatment processes as well as process and moisture loss.
2. Total Local Authority collected waste managed may not match total Local Authority collected waste arisings due to stockpiling of waste between reporting periods.
3. Inputs to intermediate plants e.g. MBT, Residual MRFs, RDF and other plants prior to treatment and disposal and included in the final treatment and disposal figures.

Source: Department for Environment, Food & Rural Affairs



Tees Valley Joint Waste Management Strategy (Draft)

Public Consultation Feedback Form

Note: Consultation closes on 30th November 2018

Please set out your comments below:

I would like to see more solid initiatives to reduce waste generation in the area. This means working directly with retailers, and I have no idea how much local authorities are able to control what retailers sell, if at all. I saw some mentions of a 'smart shopping' initiative, but I couldn't find any more about this. Shoppers can only buy what local shops offer and in a price range that they can afford. Even shoppers who are aware of how to only buy enough food and essentials to use before they expire will produce a lot of waste due to the packaging.

Ideally, I would like to see a reduction of all packaging in shops. Currently Darlington has no bulk buying shops, where residents could go to pick up dry groceries such as pasta and rice in reusable containers, eliminating the need for plastic bags. Darlington made residents aware recently that they are no longer recycling tetrapaks. It would then follow that retailers in Darlington should avoid selling cartons made of this material and instead sell in cans or glass bottles. It would be great to see bottle return schemes make a comeback. I would also like other initiatives such as single use plastic cups being removed from water coolers in offices and encouraging businesses to provide more glasses and mugs. This may sound trivial, but to make a difference we need people to change their attitudes to single use items as well as retailers changing their packaging.

[Please continue overleaf if necessary]

Contact Details (optional – please see our privacy statement)

Tel:

If you would rather complete this form at home, please email or return your comments to:

JWMS Consultation
c/o Charleen Dods
Darlington Borough Council
Town Hall
Darlington
DL1 5QT

Charleen.Dods@darlington.gov.uk

I Public Consultation Feedback Form**Tees Valley Joint Waste Management Strategy (Draft)**

Consultation closes on 30th November 2018

Please set out your comments below [Please continue overleaf if necessary]:

I found this document very hard to read; if you really want feedback from the public you need to look at how you put this stuff together so as to make it more accessible to lay-people who are not used to management-speak.

Insofar as I understand it, you want to increase recycling (good), reduce waste (good), use food waste to extract energy (good), and charge for collection of garden waste (bad).

The council tax in Hartlepool is already one of the highest in the country so charging for garden waste is only going to lead to people fly-tipping through anger and frustration.

Please don't even think about reducing the frequency of emptying waste bins; once every two weeks is already pushing the boundaries of what is safe, specially during warm weather.

Contact Details (optional – please see our privacy statement)

Name:

Address:

Tel:

Email:

If you would rather complete this form at home, please email or return your comments to:

FAO Communications (JWMS Consultation)

Hartlepool Borough Council,
Civic Centre,
Victoria Road,
Hartlepool,
TS24 8AY

Or email:

communications@hartlepool.gov.uk

Comments on Facebook

11:30

Could we please have a breakdown of the proposed waste management strategy in plain English for everyone to understand. I have read through the strategy and from what I can tell the proposals all include reduced household waste collections some sort of extra recycling and charges for garden waste. The document is not the best to understand though and many people are struggling to understand what it actually means. Why haven't you produced a breakdown of how the average household will be affected for everyone to understand.

Please find the first back of feedback from Facebook regarding the Waste Management Strategy.

The comments are as you might expect.

Not everyone has space to compost. ...

Like · Reply · Message · 19h

We don't even get a garden waste collection, and in the past 2 and a half years have had 5 recycling collections!!

Like · Reply · Message · 19h

When your bin gets stolen and you have to pay for a new 120 pound each is a lot I think there should be a bugit x

Like · Reply · Message · 19h



Bins are the property of the council.. if they get stolen then it's the council's property which has been stolen so if you haven't 'stolen' it from them then what legal right do they have to charge you for a replacement?? I'd happily do without council... [See more](#)

Like · Reply · Message · 18h



I will not buy a recycling bin if someone decides they will have mine, I'll put it in with rubbish

Like · Reply · Message · 13h



... I had the both stolen last year and I had to pay 40 pounds x

Like · Reply · Message · 13h



Write a reply...



[redacted] Need to be bigger recycling bins mine is not big enough

Like · Reply · Message · 19h



[redacted] same with me. I recycle everything I can but fitting 2 weeks worth into 1 bin is difficult x

Like · Reply · Message · 18h



[redacted] you can get bigger bin just phone up

Like · Reply · Message · 18h

[redacted] I'm the same Lisa, totally committed to recycling but my bins are heaving every fortnight, and stinking too

Like · Reply · Message · 17h

[redacted] Phone in, they can be changed for bigger ones.

Like · Reply · Message · 17h

[redacted] That wont stop them stinking tho

Like · Reply · Message · 16h

[redacted] If i have overflow of recycling the binmen take it. Not if normal bin over, just blue one

Like · Reply · Message · 16h · Edited

[redacted] If the stuff going into the bin is clean it shouldn't smell...

Like · Reply · Message · 15h



[redacted] What you can get a bigger recycling bin ? And as for overflow of recycling it has been left many a time down our road

Like · Reply · Message · 14h

[redacted] wash out tins/bottles & any food carton before putting it in the bin

Like · Reply · Message · 13h

██████████ in my opinion, having reducing cross-contamination AND charging (presumably this means you're reducing council tax? No? Thought not) for separate collections as targets in the same strategy isn't logical. Pick one or the other. You can't try to red... [See more](#)

Like Reply Message 18h



██████████ So, looks like residents doing more work AND paying for the privilege. I do my level best to recycle, but councils really need to find ways of recycling more plastics or manufacturers must stop producing it. Paying for Garden waste to be collected? That will only encourage residents to tarmac their gardens with the result of further flooding. Typical council plan. Useless.

Like Reply Message 18h



██████████ How about putting the details across in plain English for everyone to see. If I'm reading this right your proposing Less general waste collections (I'm guessing moving from fortnightly to every 3/4 weeks) and charging for Garden waste collections

Like Reply Message 18h



↳ 6 Replies

██████████ ordered a new blue bin on the 12th september and still dont have it!!!!

Like Reply Message 18h

██████████ think its a stupid idea we will end up with rats

Like Reply Message 18h



██████████ return to the use of METAL dustbins! Get rid of these unsanitary, unsightly, un-recycleable plastic fire hazard rubbish ones (pun intended).

Like Reply Message 18h Edited

██████████ The bin men barely manage to empty the waste bins, the amount of times I haven't had mine emptied, to complain and then they still don't empty it! It end up with my waste collecting in bin bags in my yard which is disgusting, or the neighbours moan if I put them out, or I get a man at the door from the council moaning about fly tipping! Reducing them down is going to increase this issue!



Need more of the 'dross' collections. Not everyone has transport to get to a tip!

Like Reply Message 18h



1

Exactly how do they expect people to go to the tips that haven't got transport

Like Reply Message 12h



Write a reply...



Poplar place and barnaby place didn't even get a 'dross' collection this time but everywhere else did.

Like Reply Message 18h

Good job that survey didn't have a character limit!

Like Reply Message 17h

Need more full time bin men



1

Like Reply Message 17h

...

I am unable to review this draft strategy in its current form using voice-over. I am registered blind, so there needs to be another way for me to read this. Is this document available in an alternative form? Many thanks.

Like Reply Message 17h

Less general waste collection is a naff idea, I have two s.n teens one still in nappies also rats have already ate through my bin would do nothing for the rat problem going on

Like Reply Message 17h



1

Why do Redcar & Cleveland Borough Council out source council tax issues to a company in Nelson Lancashire? Why created jobs and look after it locally??

Like Reply Message 16h



1

Garden waste should be encouraged not charged for. As a council, it should be more than capable of composting, screening and recycling it, ultimately selling to the public...therefore making money to reinvest...
Or is that just too much logic for R & C council?

Like Reply Message · 16h

Looks like fly tipping is the future.

Like Reply Message · 16h



Something needs doing about bin theft, especially with the ridiculous price to buy a new bin, which often comes used with an address painted on!

Like Reply Message · 16h

See the lads in car parks, that wash the cars.....they seem to have an endless supply of them....lol

Like Reply Message · 15h



Write a reply...



What the hell do we pay our rates for ?????

Like Reply Message · 16h



Like Reply Message · 16h

Less waste collections if i'm reading this right. Will the reduction in collections be reflected in our council tax bills instead of constantly increasing them? This council is an absolute joke fly tipping is already rife in Guisborough imagine what would happen if this ludicrous plan is put into date.
#getaclue

Like Reply Message · 15h



↳ 1 Reply

Seriously, it's a waste of time coming up with ideas to make money through recycling..... Even if it's low cost.....it'll only get vetoed because they haven't proposed the idea themselves!

Like Reply Message · 15h



Used to live in Gloucestershire and had food waste bin emptied every week. Take a leaf out of their book as their recycling statistics for the first year doin it rocketed.

Like Reply Message · 15h · Edited

Like · Reply · Message · 13h

Need bins emptying weekly ... I'm sick of maggots growing in the bin it's disgusting ! Two weeks is too long

Like · Reply · Message · 13h

2

All they are capable of is dreaming up ways to mt ur pockets

Like · Reply · Message · 13h

1

They will do what they want do not agree with when you go to the tip and get charged for rubble bricks

Like · Reply · Message · 12h

Yes sorry council give us bigger bins to accommodate our waste especially if you reduce collections but if I get maggots I will post them to you

Like · Reply · Message · 12h

So what happens when your neighbours trees, confirms etc etc are growing over your property, Mmmm chick it back over their fence to avoid having to pay to get rid of their waste

Like · Reply · Message · 12h

something Alex may be interested in commenting on.

Like · Reply · Message · 12h

This is code for monthly bin collection's

Like · Reply · Message · 12h

Waste management strategy? Just empty the bins FFS it's not hard 🙄🙄🙄

Like · Reply · Message · 11h

Neither's getting fixtures that work!!!!!!! 🤔ha ha SB forever!!!

Like · Reply · Message · 11h



Write a reply...





Write a reply...



We already have maggots and flies around the bins now especially in the really hot weather we have had. If summers are to get hotter this will only get worse. I recycle everything where I can. We have tonnes of garden rubbish as I love gardening so alw... [See more](#)

[Like](#) · [Reply](#) · [Message](#) · 10h



There is NO law that says you must recycle. There is NO law that says you must separate. So, if the council try and become heavy handed over it. Tell them to get stuffed and just put everything in your normal bin. Everything goes to the incinerator now so, it goes towards making energy anyway which is also recycling but without the flipping hassle. Councils are getting too brutal these days for my liking.

[Like](#) · [Reply](#) · [Message](#) · 7h

26. Tees Valley Joint Waste Management Strategy (*Director of Regeneration and Neighbourhoods*)

Type of decision

Key Decision test (ii) applies – Forward Plan Ref No RN19/18

Purpose of report

This report provided a draft Tees Valley Joint Waste Management Strategy for Members to consider prior to consultation commencing. The Strategy following Members approval will be published on each of the Council's website prior to 5th October 2018. (Appendix 1).

Issue(s) for consideration

The Assistant Director, Environment and Neighbourhood Services presented the report which included background information to the existing waste treatment solution under contract with Suez (formerly SITA), as part of a joint procurement between the four local authorities, until 2020. The current contract with Suez for waste disposal had been extended to 2025.

In order to plan for the future and place the Tees Valley in the strongest position, the Tees Valley Chief Executives had agreed a strategic outline business case to progress options for post 2025. A number of outcomes for the programme of work had been agreed, details of which were included in the report.

Members were advised of the key stages in the options appraisal process. Details of the options considered were provided, as set out in the report. The preferred option selected was:-

- the adoption of prevention, reuse and recycling initiatives;
- the introduction of high recycling performance collections including separate food waste collections; and
- a new energy recovery facility with the ability to utilise the heat produced, through the development of Combined Heat and Power (CHP) facility.

The Joint Waste Management Strategy provided a framework for action in Tees Valley. Following the adoption of the JWMS, each of the Tees Valley Councils would develop an individual action plan to tailor the delivery of the preferred option to complement their current services and reflect their specific local circumstances and operations. With regard to consultation, it was proposed that the draft JWMS would be published on each of the Council's websites prior to 5 October for 8 weeks and comments would be collated and fed back to Local Partnerships and Local Authorities to

consider.

The Chair commented on his involvement in earlier discussions in relation to the strategy, during his time as Vice-Chair of this Committee, when the importance of pursuing income generation opportunities for local authorities had been emphasised and was disappointed to note that this issue had not been reflected in the report that had been prepared regionally.

Reference was made to the charitable arms within Suez and concerns were expressed regarding national restrictions on access to funding resulting in minimal benefit to the communities of Hartlepool and the Cleveland conurbations. Members were keen to see such benefits being made available to Local Authorities in the future.

In response to a query raised regarding the options to utilise recyclable plastics as an alternative to tarmac, the Assistant Director indicated that the Council was currently working jointly with Stockton to explore this opportunity on a particular project using Government funding.

Decision

- (i) The Committee endorsed the Joint Waste Management Strategy to enable the public consultation to proceed.
- (ii) That the comments of Members be noted and be included in feedback to the consultation in terms of pursuing income generation opportunities for local authorities and options around plastics as well as the issues raised in relation to access to funding.

NEIGHBOURHOOD SERVICES COMMITTEE

21st January 2019



Report of: Assistant Director (Environment and Neighbourhood Services)

Subject: PUBLIC SPACE PROTECTION ORDERS

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Key Decision (test (ii)) Forward Plan Ref No. RN 13/18.

2. PURPOSE OF REPORT

2.1 To inform Committee of the outcome of a recent public consultation into proposed extension of enforcement powers in relation to dogs in public places.

2.2 To consider and agree whether to introduce additional enforcement powers through the Public Space Protection Orders.

3. BACKGROUND

3.1 Hartlepool currently has a range of restrictions on dogs in public places. Some of these restrictions are town-wide, whilst others only apply in named locations. The current restrictions were introduced as Dog Control Orders under Section 55 of the Clean Neighbourhoods and Environment Act 2005 to control dog fouling and nuisance dogs in public outdoor spaces. In 2014, the Anti-Social Behaviour and Policing Act 2014 superseded a number of orders, including Dog Control Orders, and replaced them with new Public Space Protection Orders (PSPOs). The Dog Control Orders superseded by the new legislation automatically became PSPOs in October 2017.

3.2 There are currently 5 dog-related PSPOs in Hartlepool, namely:

- **Dogs On Leads Order** – that dogs may enter the specified area but only if they are held on a lead;
- **Dog Exclusion Order** – that dogs may not enter a specified area;

- **Dog On Lead By Direction Order** – that an authorised officer can instruct a person responsible for a dog to put it on a lead if it is causing a nuisance. This order applies to the whole town;
- **Fouling Of Land Order** – that the person responsible for a dog must clean up its faeces forthwith. This order applies to the whole town; and
- **Specified Maximum Number Of Dogs Order** – that any one person may take out up to a maximum of 4 dogs at any one time. This order applies to the whole town

3.3 Unless specified otherwise, these 5 PSPOs apply to '*all areas open to the air to which the public have access, either with or without payment*'. Some areas have more than one Order in place, e.g. a park may have a 'Dog On Lead' Order on the park as a whole, but the children's play area within the park may have a 'Dog Exclusion Order' on it. The penalty for breaching any of the PSPOs is £100. There are no changes proposed to these existing orders and these were not included in the consultation.

3.4 Before introducing any additional PSPO, the legislation requires that the Council consults with the Chief Officer of Police, the Police and Crime Commissioner, other relevant bodies and community representatives.

3.5 It should be noted that in order to assist dog walkers, HBC have recently installed over 40 dog waste bag dispensers in 29 public spaces, where bags can be obtained free of charge.

4. PROPOSALS

4.1 The following proposals were put forward for public consultation (as described in section 8 of this report):

1. A 'Dogs on Leads' Order be introduced in North Cemetery;
2. A seasonal 'Dogs on Leads' Order be introduced into the dunes area of North Sands operational between 1st October to 30th April each year;
3. A seasonal 'Dogs Exclusion' Order be introduced into the beach area of North Sands operational between 1st October to 30th April each year;
4. A restricted lead length of 1.5 metres be introduced in all cemeteries;
5. Designated officers be granted powers to check dog walkers are carrying the means to pick up their dog faeces and issue a fixed penalty notice where owners refuse or are unable to show they have the means to pick up; and

6. Designated officers be granted powers to check a dog's microchip details and issue a fixed penalty notice to owners of unchipped dogs.

- 4.2 During the consultation process, a request was received from the Regeneration Team to consider making an amendment to the existing 'Dogs Exclusion Order' on the former paddling pool on the Front at Seaton. Therefore, it is proposed that this be extended to encompass the perimeter of the new water park.

5. RISK IMPLICATIONS

- 5.1 Failure to introduce some, or all, of the additional enforcement powers risks undermining the Council's ongoing efforts to keep public spaces clean and free from dog foul and nuisance dogs.

6. FINANCIAL CONSIDERATIONS

- 6.1 Once the Orders are put in place there will be a cost implication for publicising the Orders and educating the public on the new legislation, including the production and installation of new signage at all locations covered by the PSPOs. Further costs will be incurred in enforcing the Orders, including the requirement to reprint all the FPN books, forms and paperwork with the new legislation details on.
- 6.2 The cost of advertising the formal Legal Notices are estimated at £500 and will be met from the service area budget.
- 6.3 Signage costs are anticipated to be approx. £2,500 and will be met from existing operational budget. The outdated and existing signs will however be removed and where ever possible recycled to offset some of this cost.

7. LEGAL CONSIDERATIONS

- 7.1 Before including the proposed amendments into the PSPO the Council must be able to demonstrate that there is a need for the Order and that the behaviour it is designed to prevent or reduce meets the following legal test:
 - Has had, or is likely to have, a detrimental effect on the quality of life of those in the locality;
 - That it is, or is likely to be, persistent or continuing in nature;
 - Is, or is likely to be, unreasonable; and
 - Justifies the restrictions imposed.

- 7.2 In advance of the Order coming into effect, details of the PSPO must be published in line with the regulations made by the Secretary of State. There is no longer a requirement to publish the Order in the local newspaper but it should be made available on the Council's website.
- 7.3 A PSPO can be challenged by 'an interested person' within 6 weeks of the Order being made on the following grounds:
- That the Council did not have the powers to make the Order or to include the prohibitions or requirements of the Order; and
 - That one of the requirements listed in 7.1 was not complied with.
- 7.4 The fact that the legislation allows for these challenges to be made means that it is very important that each step of the process is followed and recorded to avoid potential challenges. The requirements referred to above include a requirement to consult on the proposed orders; the requirement to show that the legal test in 7.1 has been met; and the requirement to publish a draft version of the order in advance.
- 7.5 Additionally, Section 9 of the Animal Welfare Act 2006 places a duty of care on owners to ensure their dog is able to exhibit natural behaviour such as running, jumping and interacting with other dogs. Therefore to enable owners to comply with this legislation a balance must be struck between restricting access for dogs with providing plenty of accessible 'free run' areas.
- 7.6 The former dog control orders were mainly located in areas such as children's play areas, sports pitches and parks, with many more areas being left as 'free run' areas for dogs. The seasonal restrictions on the bathing beaches at Seaton Beach, Headland Block Sands and Fish Sands still allow for dogs to be freely exercised on the beaches at Newburn Bridge and North Gare.
- 7.7 Members are requested to note that the proposals for 'Dogs on Leads' and 'Dogs Exclusion' Orders at North Sands were made following Natural England's request for the Council to fulfil its duty under Section 28G of the Wildlife and Countryside Act 1981 (as incorporated by the Countryside and Rights of Way Act 2000) to further the conservation of the area which is classed as a Site of Special Scientific Interest (SSSI). A proposal to restrict access to North Sands for dogs was first put forward in 2012 but the decision was deferred pending further information from Natural England.

- 7.8 One of the proposals is to obtain the personal details of dog owners via their dogs' microchips in order to identify owners in instances where a breach of a PSPO occurs and the owner refuses to provide the designated enforcement officer with their details. The officers currently have no legal power to compel the owner to provide their details. In instances where the owner refuses to provide their details, officers must call for police assistance.
- 7.9 Therefore, a proposal was put forward to give officers powers to scan the dog in order to obtain the owner's details via the microchip. This would act as a deterrent to those who refuse to provide their details and would make the issuing of fixed penalty notices for breaches of PSPOs easier. However, since this proposal was initially put forward for consideration, the new GDPR regulations come into force in May 2018. As part of the new regulations, the basis for which personal data can be obtained and used has changed. This means that because owners have given their personal data to the microchip databases for the specific purpose of reuniting their pets should they go missing, advice from the Council's legal team identifies that obtaining and using this data for another purpose (namely enforcement of PSPOs) does not constitute a lawful basis for using this personal data.
- 7.10 Should the Committee consider it desirable to enforce against the owners of unchipped dogs, provision for this already exists under the Microchipping of Dogs (England) Regulations 2015 and as such does not require an additional PSPO to be introduced.

8. CONSULTATION

- 8.1 A wide scale public consultation has been carried out to understand the views of key stakeholders with regard to introducing further restrictions for dogs in Hartlepool. This primarily took the form of an online survey which was widely advertised via the Council website, social media channels and in Hartbeat magazine.
- 8.2 In addition, formal letters of invitation to take part in the survey were also sent to the following:
- Hartlepool schools
 - Voluntary and community sector organisations
 - Cleveland Police
 - Internal Council teams
 - The Kennel Club
 - The RSPCA
 - Dogs Trust

- Natural England

- 8.3 More than 700 responses were received, including nearly 70 pages of additional comments. An additional 11 letters/emails were submitted outside the survey with comments or proposals.
- 8.4 The survey asked whether respondents agreed or not with the five proposals, as well as whether they had any other suggestions for locations which should be covered by a PSPO relating to dogs, or any new powers they thought officers should have.
- 8.5 The results of the survey are summarised as follows:
- Do you agree that a 'Dogs on Leads' Order should be brought in to North Cemetery? – **Yes 78.55%, No 21.45%**
 - Do you agree that a seasonal 'Dogs on Leads' Order should be brought into the dunes area of North Sands operational between 1st October and 30th April each year? – **Yes 60.56%, No 39.44%**
 - Do you agree that a seasonal 'Dogs Exclusion' Order should be brought into the beach area of North Sands operational between 1st October and 30th April each year? – **Yes 44.81%, No 40.93%, Comments 14.26%**
 - Do you agree that lead length should be restricted to 1.5 metres in cemeteries? – **Yes 60.19%, No 39.81%**
 - Do you agree that designated officers should be given powers to check dog walkers are carrying the means to pick up their dog's mess and to issue a fixed penalty notice where owners refuse or are unable to show they have the means to pick up? – **Yes 74.41%, No 25.59%**
 - Do you agree that designated officers should be given powers to check a dog's microchip details and to issue a fixed penalty notice to the owners of un-chipped dogs? – **Yes 81.52%, No 18.48%**
 - Do you have any other suggestions for locations which should be covered by a Public Space Protection Order relating to dogs or new powers that you think officers should have? – **300 comments received.**
- 8.6 Although quite a few respondents suggested that there were already enough/too many restrictions in place, there were many who suggested new locations to be put forward. In most cases, these respondents did not specify what type of order should be put in place for the location they suggest and it is not always possible to tell what they mean from the comment.

- 8.7 Note that an order stating that dog walkers must clean up their dog's foul forthwith is already in place covering 'all areas open to the air and to which the public have access, either with or without payment'. This means that consideration of additional orders for any of these proposed locations would be either a 'Dogs on Leads' or 'Dogs Exclusion' Order.
- 8.8 Overall, the survey shows that in percentage terms, the majority of respondents agreed with all the proposed new PSPOs. However, the comments sections of the survey also highlighted a number of issues such as lack of understanding of existing restrictions and confusion about how some of the proposed new powers would work in practice as well as concerns around levels of enforcement.
- 8.9 As part of the consultation process, discussions were held with the Council's ecologist who has now confirmed that the number of shorebirds within the area of beach at North Sands proposed for a 'Dog on Lead' order is insignificant and that the Little Tern colony is located well outside this zone. Therefore the ecologist is satisfied that, notwithstanding the initial request from Natural England, there is no requirement to restrict access to dogs to the beach area of North Sands. It is important to note that Natural England were contacted regarding these proposals, however, no response was received.
- 8.10 Additionally, following further examination of the 'dunes area' highlighted for a 'Dogs Exclusion' order; the ecologist is now satisfied that there is no bird-interest within this zone. There were some concerns raised about potential impact on other wildlife/grassland plant species from dogs being exercised within this area; however it is anticipated that the majority of dog walkers will cut through this zone on informal pathways to access the beach rather than staying within this zone to exercise their dogs. This impact will, therefore, be minimal and can best be managed through other means rather than through imposing a PSPO.
- 8.11 Whilst there is an obligation on the Council under the Wildlife and Countryside Act 1981 (as amended) to take reasonable steps to conserve and enhance the special features of the SSSI; a PSPO to restrict dogs may not be the most appropriate method of doing this. Members are reminded that before a PSPO can be implemented, the legal public interest test must be satisfied. This means that the exercising of dogs on North Sands must have a proven greater detrimental effect on quality of life than restricting access to the beach would have. This point is also highlighted by the Kennel Club in their response along with a request that should the Council wish to pursue restrictions to North Sands, that Council work with the Kennel Club and Natural England develop alternative measures to protect the birds on North Sands to ensure these are the least restrictive on dog walkers possible.
- 8.12 The Kennel Club provided a comprehensive response to the consultation. and although they do not comment on the locations of the proposed new

orders, they make reference to the value of proactive measures to tackle dog fouling such as education and the provision of dog waste bins.

- 8.13 The Kennel Club also expressed concern about the proposed ‘means to pick up’ order, particularly around a scenario where an owner has finished their walk and used all their bags. They also suggest that this may have the unintended consequence of actually discouraging owners from picking up where they realise they are down to their last bag and think they may be stopped later. They also identified that owners could simply tie a bag to their dog’s collar with no intention of ever using it.
- 8.14 Additionally, the Kennel Club highlighted that a communications campaign around the new powers would be essential to ensure the public are aware of the new orders, including the installation of appropriate signage. They also emphasise the need for ‘free run’ areas to comply with the need for dogs to exercise freely included in Section 9 of the Animal Welfare Act 2006 as already identified in 7.5.

9. CHILD AND FAMILY POVERTY

- 9.1 There are no child and family poverty implications relating to this report.

10. EQUALITY AND DIVERSITY CONSIDERATIONS

- 10.1 Consideration must be given to how the restrictions may affect disabled people with assistance dogs. Under the Equality Act 2010 the Council must ensure access to facilities such as parks, children’s play areas, etc. is not unreasonably restricted for people with disabilities, therefore the wording of any PSPO introduced to restrict access for dogs needs to be carefully considered to avoid unreasonably restricting access for people with assistance dogs.
- 10.2 The Equality and Diversity Impact Assessment is included at **Appendix 1**.

11. SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

- 11.1 Breaching one of the proposed PSPOs would be an offence under the Anti-Social Behaviour, Crime and Policing Act 2014. It is punishable by the issuing of a Fixed Penalty Notice (FPN) of £100. If a person refuses to pay they can be taken to the local Magistrate’s Court for the offence and fined up to £1,000.

12. STAFF CONSIDERATIONS

- 12.1 Responsibility for the enforcement of the current and proposed PSPOs sits with Hartlepool Community Safety Team (HCST). As the enforcement framework remains unchanged by the introduction of any additional PSPOs, it is anticipated that the staffing impact of enforcing any new orders will be minimal.
- 12.2 Police Officers, PCSOs and certain officers designated by the Council also have the power to issue FPNs for PSPOs but this is much easier now that the officers are part of one Community Safety Team. Police also have additional responsibility to enforce the terms of the Dangerous Dogs Act 1991 (as amended 2014).

13. ASSET MANAGEMENT CONSIDERATIONS

- 13.1 Dog fouling occurs across the Borough and limits residents' and visitors' enjoyment of the town's many parks, beaches and open spaces. Although footpaths can be cleansed using a mechanical sweeper, it is very difficult to clean dog foul from grassy or sandy areas.

14. RECOMMENDATIONS

- 14.1 It is recommended that the following Public Space Protection Orders be implemented as described below:
- A 'Dogs on Leads Order' be introduced for North Cemetery;
 - Lead length be restricted to a maximum of 1.5 metres in all Hartlepool cemeteries;
 - Designated officers be given powers to check that dog walkers are carrying the means to pick up their dog's mess and to issue a fixed penalty notice where dog walkers refuse or are unable to do so;
 - The existing 'Dog Exclusion Order' for the former paddling pool on the Front at Seaton be extended to encompass the perimeter of the water park; and
 - A communications campaign be implemented to raise awareness of the Orders and also of places where dogs can be freely exercised;

15. REASONS FOR RECOMMENDATIONS

- 15.1 Implementing the Orders would allow the Council to increase its effectiveness in tackling dog fouling and nuisance dog-owners. The Order to keep dogs on leads in North Cemetery will bring this cemetery in-line with the restrictions in place in West View and Stranton cemeteries. It will also help to protect the graves from fouling and disturbance by dogs, whilst

still allowing for dogs owners to visit the cemetery with their dogs, provided they are kept on a lead.

- 15.2 The restriction on lead length will only apply to cemeteries and will help to ensure that owners cannot be unaware when their dog fouls with the intention that this will increase the picking up of dog foul.
- 15.3 Checking that dog walkers are carrying the means to pick up after their dog will encourage owners to ensure that they are carrying sufficient bags and help to avoid the excuse that the owner could not pick up because they did not have a bag. There is a concern about what happens if an owner uses their last bag but this can easily be avoided by ensuring that plenty of bags are taken out, for example, rolls of bags can be purchased which clip onto a dispenser on the dog's lead. Additionally, free dog bag stations have been installed in popular dog walking locations. Many of the survey respondents welcomed this proposal on the basis that those who fail to clean up after their dogs give all dog owners a bad name.
- 15.4 Amending the existing Dogs Exclusion Order on the former paddling pool at Seaton would extend the protection to cover the whole of the new water park site. The park was opened in summer 2018 and has proved extremely popular, however, the site began to generate complaints almost immediately about people taking their dogs into the water park. Whilst families with dogs may see it as a fun opportunity to play together; there were concerns about hygiene and safety from dogs running loose in amongst children playing in the water park.
- 15.5 A communications campaign will help to raise awareness of where people can and cannot go with their dogs. It will also help to address some of the confusion around the Orders which was evident in the consultation responses.

16. BACKGROUND PAPERS

- 16.1 Neighbourhood Services Committee Report *Public Space Protection Orders* June 2018.

17. CONTACT OFFICER

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EQUALITY AND DIVERSITY IMPACT ASSESSMENT

Department	Division	Section	Owner/Officer
Regeneration & Neighbourhoods		Community Safety	Tony Hanson
Service, policy, practice being reviewed/changed or planned	Public Space Protection Orders relating to the exercising of dogs in certain named locations		
Why are you making the change?	To reduce problems of dog fouling and nuisance dogs in public places		
How might this impact (positively/negatively) on people who share protected characteristics?			
		<i>Please tick</i>	
		POSITIVELY	NEGATIVELY
Age			
<p><i>Please describe... Where a dog is exercised in a public place in Hartlepool by an older person, the restrictions contained within the PSPOs will apply. Where the dog is a registered assistance dog due to disability, exception to the PSPOs will be made to facilitate the disabled person's full access to public amenities.</i></p> <p><i>Under 16s are not considered to be legally responsible for an animal, therefore it is the responsibility of an adult to ensure that the conditions of the PSPO are adhered to.</i></p>			
Disability			
<p><i>Please describe... Where a disabled person exercises a pet dog in a public place in Hartlepool, the restrictions contained within the PSPOs will apply. Where the dog is a registered assistance dog, exception to the PSPOs will be made to facilitate the disabled person's full access to public amenities.</i></p>			
Gender Re-assignment			
Please describe... No impact			
Race			
Please describe... No impact			
Religion			
Please describe... No impact			
Gender			
Please describe... No impact			
Sexual Orientation			
Please describe... No impact			
Marriage & Civil Partnership			
Please describe... No impact			
Pregnancy & Maternity			
Please describe... No impact			
Has there been consultation /is consultation planned with people		Yes, a wide-scale public consultation was carried out between July and September 2018 inclusive. Over 700	

EQUALITY AND DIVERSITY IMPACT ASSESSMENT

who will be affected by this policy? How has this affected your decision making?		<i>responses have been received which are included in the report and attached appendices.</i>	
As a result of your decision how can you mitigate negative/maximise positive outcomes and foster good relationships?		<i>The wording of any PSPO introduced to restrict access for dogs will be carefully considered to avoid unreasonably restricting access for people with assistance dogs.</i>	
Describe how you will address and monitor the impact		1. No Impact - No Major Change <i>Please Detail</i>	
		2. Adjust/Change Policy <i>Please Detail</i>	
		3. Adverse Impact but Continue as is <i>Please Detail</i>	
		4. Stop/Remove Policy/Proposal <i>Please Detail</i>	
Initial Assessment	00/00/00	Reviewed	00/00/00
Completed	00/00/00	Published	00/00/00

NEIGHBOURHOOD SERVICES COMMITTEE

21st January 2019



Report of: Assistant Director (Environment & Neighbourhood Services)

Subject: **ST. AIDAN'S, STOCKTON ROAD – PROPOSED PUFFIN CROSSING**

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Non Key.

2. PURPOSE OF REPORT

2.1 To report objections to the proposed puffin crossing at St. Aidan's School, Stockton Road. (**See Appendix 1**).

3. BACKGROUND

3.1 Several requests have been received from the school, local ward Members and the general public for a light controlled crossing in the vicinity of St. Aidan's School, Stockton Road.

3.2 This section of road is a busy cross town route, and is subject to a 30mph speed limit. St Aidan's School is located on the southern side of the carriageway and residential houses and the Greenside Public House are situated on the northern side. A school crossing patrol operates on this section of carriageway.

4. PROPOSALS

4.1 It is proposed to introduce a puffin crossing on the section of carriageway immediately north east of the Loyalty Road junction, at the existing school crossing patrol point. The Loyalty Road junction and several private access points are located within the controlled zone (zig zag area). Although this is not ideal, it is considered that this is the best location for the crossing as it is on the desired pedestrian route to the school.

- 4.2 Double yellow lines will also be introduced on the north side of Stockton Road extending from the end of the controlled zone to a point past the frontage of No.144. This was in response to one of the comments received in the consultation exercise.

5. CONSULTATION

- 5.1 The initial consultation exercise undertaken showed 74 people in favour of the crossing, and 4 against, although this was part of a wider consultation exercise which also included proposals for Westbrooke Avenue and other parts of Stockton Road.
- 5.2 Residential properties in close proximity to the crossing, St. Aidan's School, The Greensides PH and local Ward Members were subsequently sent consultation letters and plans of the detailed scheme, and there were 2 objections received at that time. A further objection was then received at a later date. One of the initial objections has now been resolved by the proposed introduction of double yellow lines.
- 5.3 The remaining objectors are concerned that the proposed crossing will cause a road safety hazard with potential for accidents and congestion due to the close proximity of several junctions, and private access points.
- 5.4 He requested that an independent safety audit be carried out, and suggested an alternative location further up Stockton Road past the Greensides PH. This location is away from the main pedestrian desire line of parents crossing after using the pub car park to park, and is also complicated by the presence of bus stops and junctions.
- 5.5 Therefore a safety audit was subsequently undertaken, which identified that, in view of right turning manoeuvres which could be undertaken by large vehicles, the crossing could benefit from being moved slightly to the east (around 2-3 metres). This can be done without having a significant effect on the proposed scheme.
- 5.6 Warning signs are also to be introduced for vehicles travelling on Loyalty Road approaching the Stockton Road junction, to highlight the presence of the crossing. An amended guard rail arrangement to prevent pedestrians from running out of the footpath from the pub straight into the road is also to be investigated.

6. RISK IMPLICATIONS

- 6.1 There are no risk implications attached to this report.

7. FINANCIAL CONSIDERATIONS

- 7.1 The puffin crossing is estimated to cost approximately £50,000, and will be funded from the existing 2018/19 LTP allocation.

8. LEGAL CONSIDERATIONS

- 8.1 In relation to the proposed yellow lines, there is a statutory requirement on the Council under the Road Traffic Regulation Act 1984 to advertise its intentions in a newspaper circulating in the area, with on-site notices posted for additional publicity. Anybody wishing to object to the proposal must do so within 21 days of the publication.

9. CHILD AND FAMILY POVERTY

- 9.1 There are no child and family poverty implications attached to this report.

10. EQUALITY AND DIVERSITY CONSIDERATIONS

- 10.1 There are no equality and diversity considerations attached to this report.

11. SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

- 11.1 There are no Section 17 considerations attached to this report.

12. STAFF CONSIDERATIONS

- 12.1 There are no staff considerations attached to this report.

13. ASSET MANAGEMENT CONSIDERATIONS

- 13.1 There are no asset management considerations attached to this report.

14. RECOMMENDATIONS

- 14.1 That the proposed puffin crossing at St. Aidan's, Stockton Road is approved.

15. REASONS FOR RECOMMENDATIONS

- 15.1 To improve road safety and pedestrian crossing facilities in the area.

16. BACKGROUND PAPERS

16.1 None.

17. CONTACT OFFICER

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APPENDIX 1

