

## Council

20 July 2021

### Petition debate: No to Charges at Villiers Road tip, Kingston upon Thames

Report by Sarah Ireland, Executive Director Corporate and Communities

Relevant Portfolio Holder: Councillor John Sweeney

#### Purpose of Report

To acknowledge and respond to the petition calling for 'No Charges at Villiers Road tip, Kingston upon Thames' that received 3,638 signatures, and was formally submitted to the CHEP Committee on 11 February 2021. The petition reached the threshold for it to be debated at Full Council on 20 July 2021.

#### Recommendation(s)

##### Council is asked to:

Note the petition and the response set out in this report.

#### The Petition

- A. At the meeting of the Culture, Housing, Environment and Planning Committee on 11 February 2021 a petition with 3,638 signatures was submitted in respect of proposals to change some of the operating policies at Villiers Road Household Reuse and Recycling Centre (HRRC), including the introduction of a charge for the disposal of non-household waste. Although the charges were not approved at that meeting, the petition stood referred to be debated at this meeting because the number of signatories exceeded the figure of 1,212 which the Petitions Scheme sets as the threshold for debate at Council. This report provides information to assist Members to debate the petition.
- B. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by Councillors for a maximum of 30 minutes. The Council will decide how to respond to the petition at this meeting, and the petition organiser will receive written confirmation of this decision after the meeting. The Council's decision may be to refer the petition for further detailed discussion at a relevant Committee.
- C. The petition is set out below:

*"Kingston Council are proposing a number of changes to VILLIERS ROAD TIP , which will further increase fly tipping in our borough.*

*They plan a new "fair use" policy which restricts the number of visits a resident can make and a CHARGE of £5 per bag for non-household waste.*

*Non-Household waste is defined as rubble and hardcore, but also house fixtures and fittings, such as carpets and tiles, and also sheds and fencing/ timber. These are the things a resident might have to dispose of after a small renovation project at home.*

*The online booking remains, with residents who have no access to computers, asked to get family and friends to access the booking for them, which is discriminatory.*

*Pedestrians and cyclists are only allocated a paltry one hour per week on a Sunday afternoon.*

*online booking system stays*

*only 20 visits per year ( less than twice a month)*

*vans/ lorries only 12 visits per year*

*pedestrians/cyclists only 1 hr on Sunday*

*charge for DIY waste/ house fittings - £5 per bag*

*There are some real concerns that charging for access is against the Litter Strategy document published jointly in 2017 by DCLG, Defra & Dept of Transport that this can inconvenience residents and lead to further fly tipping and littering - a blight on our beautiful borough."*

## **Key Points**

- D. The Royal Borough of Kingston Council is facing unprecedented financial challenges, including in terms of the economic recovery from the impact of Covid.
- E. Until 31 March 2021 there was unlimited access to the HRRC for residential use. There are up to 13,000 visits to the Villiers Road HRRC each month, the majority of which are made by residents who are responsibly disposing of items which cannot be collected as part of their regular kerbside recycling and waste collections.
- F. Under the Environmental Protection Act 1990, commercial operators have a legal duty of care to dispose of their trade waste through an authorised carrier; commercial operators are not permitted to dispose of their waste at the Villiers HRRC. Unfortunately, some site users have taken advantage of the free facilities to dispose of commercial waste without a licence, or to dispose of a disproportionate amount of waste compared to their neighbours.
- G. The Council has undertaken considerable work with residents in recent years to support increased levels of recycling, including limiting bin sizes for domestic properties and ceasing the collection of side waste in 2016. These activities have resulted in a reduction in waste collected at the kerbside.
- H. The report to the Culture, Housing, Environment and Planning Committee setting out the rationale for the policy changes is attached at **Annex 1**. Late Material circulated to that meeting is also attached at **Annex 2**. At Budget Council in February 2020, it was agreed that a new charging policy be introduced in relation to the disposal of DIY/ Non-Household Waste. The recommendations in respect of this element of the proposals were withdrawn in advance of the meeting. The other aspects of the policy update, including introduction of the fair use policy, were approved.
- I. The new fair use policy will deliver savings at a time when the Council is facing unprecedented financial challenges by reducing disposal costs, offer environmental benefits by helping to reduce waste and change behaviour, and improve customer

satisfaction by reducing traffic and queues with visits only taking place for the genuine disposal of household waste.

- J. The refreshed HRRC policies will continue to provide clarity to residents as to the conditions of use of the site.

### **Context**

1. In March 2020, the Council closed the Villiers Road HRRC site, in line with Government guidance responding to the COVID-19 pandemic. When the HRRC was reopened on 13th May 2020, a booking system was put in place to ensure safe operation of the facility, manage numbers on site, allow for social distancing measures to be implemented and managed. This also enabled the Council to manage the expected high demand from residents..
2. The booking system was embraced by visitors, with a great deal of positive feedback, and it has also been well-received by the site operator, Veolia. As a result, it has remained in place since reopening, with the site having returned to normal operating hours in July 2020 and booking availability more than meeting demand.
3. There are a number of potential benefits to maintaining a booking system as a permanent measure at the Villiers Rd HRRC, including the facilitation of the proposed new fair use policy, reducing traffic and queues, and evening out visitor demand.

### **Fair Use Policy implementation update**

4. The Council continues to monitor repeat bookings to ascertain when residents are likely to reach the limit. To date, two residents have reached the limit, both of whom have been contacted by the Council to advise on their position and options.
5. The exemptions form is live on the Council Website for those who have reached the limit and wish to request additional visits. Requests will be reviewed on a case by case basis.

### **Online Booking System update**

6. The online booking system has continued to work well. There was only one system error issue experienced in April 2021 that resulted in double the number of slots being made available on a Sunday, causing queues outside, but this was quickly rectified and there have been no similar issues since.
7. The Council continues to use the Jotform system until a more suitable long term digital solution is available - the key change to be implemented by using a digital platform solution will be the facility to enable visitors to cancel bookings, which cannot currently be done.
8. Residents who do not have access to the online booking system can call the contact centre in the usual way to book a visit and manage any existing bookings.

9. An update report on the booking system, with performance data and recommendations for the longer term position, will be provided at a later date to the appropriate Committee.

#### **Vans/lorries only 12 visits per year**

10. This was a pre-existing policy agreed in 2018/19 with no new changes implemented in 2021.

#### **Pedestrians/cyclists only 1 hr on Sunday**

11. Small numbers of pedestrians and cyclists have visited, visitor number are broken down and can be seen below:

<b>Date</b>	<b>Number of Pedestrians</b>	<b>Number of Cyclists</b>
13 June 2021	6	3
6 June 2021	11	3
30 May 2021	6	0
23 May 2021	8	2
16 May 2021	10	3
9 May 2021	10	3

12. To optimise site efficiency, the maximum capacity allows for 70 booking slots per hour. With a new booking system in place, it will be possible to adjust the types of visitors and set aside further slots for pedestrian and cyclist access should there be additional demand. For safety reasons, due to the current layout of the site it remains unviable and impractical to allow vehicle and pedestrian access concurrently without considerable additional cost. The Council is exploring reconfiguration of the site and will consider how best to meet the needs of pedestrians and cyclists as part of these forthcoming site improvements.

#### **Consultation and Engagement**

13. The Council has a statutory duty to inform residents of changes to service provision. A communications campaign was delivered in advance of the implementation of the new fair access policy. This included the distribution of a newsletter to all residents about the changes, a social media campaign, prominent updates on the website, and on-site signage and banners.

#### **Timescale**

14. The Fair Use Policy took effect from April 2021. The amended existing policies also took effect from this time.

#### **Financial Context**

15. The Council is operating in an increasingly challenging financial environment. Kingston was already facing a number of financial challenges in the medium to longer term, prior to the COVID-19 pandemic, which has added further pressure. The economic and financial consequences of the pandemic, growing demand for services, and limited government grant funding make it difficult to find adequate funds to meet the Borough's needs.
16. The future of local government finance faces a significant level of uncertainty. The impact of the Fair Funding Review and a future review of business rates is currently unknown, and the lasting effects of COVID-19 on our residents, local businesses and the Council itself remain uncertain.
17. Despite these challenges the Council has a drive and commitment to ensure it is doing the best for residents and communities

### Resource Implications

18. A total of £5k of savings (from an expected reduction in disposal costs) is expected to be delivered in 21/22 relating to the implementation of the fair use policy.

### Legal Implications

19. Facilities have to be available at all reasonable times including Saturdays. In discharge of this duty, local authorities have to manage the facility in question, for example it would not be unreasonable to take steps to avoid overcrowding and long traffic queues. In the case of substantial demand, it is unlikely to be found unlawful to impose restrictions limiting the number of visits by individuals together with a booking system providing that any resident entitled to use the facility is given adequate opportunity to dispose of household waste arising from the normal use of premises and a choice of different times, also allowing any limit to be exceeded if special reasons can be shown.

### Risk Assessment

20. The table below details the current risks identified in relation to introducing the fair use policy and the steps the Council is taking to mitigate these:

Risk	Mitigation
<b>Fair Use Policy</b>	
Fly Tipping	Enforcement action and clear communication explaining that fly tipping is illegal and that we all have a duty of care to dispose of our waste responsibly.
Could impact residents without vehicles	Pedestrian access to be reintroduced with a clear policy. Exemptions will remain in place, including for residents using hire cars and those that are unable to drive and need someone to take some items of waste on their behalf.

Could impact residents with exceptional reasons for requiring additional visits, over and above their agreed allocation	Exemptions policy to be put in place with regard to requests for additional visits, which may result in the need to visit the HRRC more than the set limit.
Digital barrier	Work with IT to ensure that the forms are accessible and easy to use- over 99% of residents are currently making use of the form online to book a visit to the HRRC. Assistance, where required, to be provided to those residents without internet access.
Complaints and increased customer contact	Ensure communications to residents are clear and comprehensive. Ensure all policies are compliant with legal advice.

### Equalities Analysis

21. EQIA document for introducing the fair use policy and continued use of a booking system can be found under **Annex 2**

### Health Implications

22. N/A

### Road Network Implications

23. The proposed introduction of a fair use policy and continued use of a pre-booking system is expected to reduce traffic and queues.

### Sustainability Implications

24. Air quality and levels of pollution are likely to improve in relation to the numbers of vehicles using the HRRC and less queuing.

### Background Papers

None other than those referred to in this report

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