

# SHEFFIELD CITY COUNCIL

## Waste & Street Scene Policy Committee

### Meeting held 22 June 2022

**PRESENT:** Councillors Mike Chaplin (Deputy Chair), Alexi Dimond (Group Spokesperson), Tim Huggan, Mark Jones, Nabeela Mowlana, Janet Ridler, Paul Turpin, Cliff Woodcraft and Barbara Masters (Substitute Member)

#### **1. APPOINTMENT OF DEPUTY CHAIR OF THE COMMITTEE**

1.1 **RESOLVED UNANIMOUSLY:** That in the absence of the Chair and an appointed Deputy Chair the Committee nominated and agreed to the appointment of Cllr Mike Chaplin as Chair for today's meeting.

#### **2. WELCOME AND HOUSEKEEPING**

1.1 The Chair welcomed everyone to the meeting and explained the housekeeping.

#### **3. APOLOGIES FOR ABSENCE**

3.1 An apology for absence was received from Councillor Joe Otten.

#### **4. EXCLUSION OF PRESS AND PUBLIC**

4.1 No items were identified where resolutions may be moved to exclude the press and public.

#### **5. DECLARATIONS OF INTEREST**

5.1 There were no formal declarations of interest made at the meeting.

#### **6. PUBLIC QUESTIONS AND PETITIONS**

6.1 The following petitions and questions were received, and responses were provided where possible or a written response will be supplied.

6.2 Petition regarding Sheldon Road Pavements

"The pavements are in a shocking state resulting in accidents and discomfort, especially for elderly or disabled people. ...We want our Councillors and Streets Ahead to sort out the issues and schedule full repair of the pavements before

winter.”

6.3 Question from Sheff Food Partnership

In response to the recent national food strategy, does the council have a plan to implement the national government policy to [implement free weekly separate food waste collections for all households from 2025](#) (point 1.6)?

If so, is there any intention for this compost to be used between community growing groups in the city as seen amongst other cities in the country?

6.4 Question from Bridget Ingle

Can Sheffield City Council review its city centre waste management strategy for apartment buildings and landlords responsible for multiple occupation properties? Bin stores are not used properly. Contaminated and overfull bins are not emptied. Household rubbish is then piled up in the bin stores and on the street. The household rubbish on the street then becomes Amey's responsibility to clear up.

Veolia has limited powers which means the burden of responsibility falls on Environmental Protection Services to take enforcement action. EPS do not have the resources to deal with all the problems which are being created through management companies and landlords not managing their properties correctly

6.5 Question from Sean Clarke on behalf of The Moor Market traders

The Moor Market traders would like to wish the Waste & Street Scene Policy Committee well in this new way of operating and hope that The Moor Market appears high on every agenda for regular discussion, improvement and comment. Despite the fact that some council committees can sometimes be accused of being slow, indecisive and unresponsive, we have initial confidence (having met with Joe Otten recently) that you will be a modern, dynamic committee who will respond quickly and positively to the challenges ahead.

The market is an important multi-million-pound facility with a multicultural trader base originating from at least a dozen countries across the world. In addition we have a very diverse group of customers using the market every day and we have no doubts about how important the market is to many thousands of people each week. From day one back in 2013 the market has suffered from poor planning, substandard build quality, and for some years, non-existent day-to-day leadership. We welcome the fact that Gary Clifton (& Richard Eyre) have made recent changes to the management structure and most traders now have much more trust and hope that things are on the right track, despite most positions still being on an interim basis. In just a matter of weeks we can see much more enthusiasm from key leaders in the market and much more focus on the bigger picture going forward. The building is less than 9 years old and has received little proactive investment during this time, with most of the funding apparently being used to either rectify faults or put in place things that should have been included from the initial planning stage. Cities and towns across the UK, Europe and beyond can be seen to highlight and celebrate their markets, and we would like The Moor Market to become one of those markets, to become a market that the whole of Sheffield is proud to have and use. We want the market to be a more welcoming place, somewhere that offers customers a pleasant place to relax, as well as shop, and it

needs to tap into the night-time economy and provide a well-publicised & organised range of outstanding events throughout the year. We really do hope that this committee can be a catalyst for change, allowing Sheffield City Council to obtain value, success and acclaim for its running of The Moor Market.

Will the policy committee please commit to helping create and operate a clear and realistic improvement plan & investment budget that is urgently needed to help us make the market a celebrated world class facility?

Will the policy committee please highlight and recognise the importance of The Moor Market to Sheffield City Council and make plans and investments that will generate a better future for all traders, guaranteeing a better return for the council and most importantly for the people of Sheffield?

6.6 Question from Paul Stead

In April 2021 Mark Jones the Cabinet member responsible for streetscene announced that Sheffield City Council would be integrating their online reporting system with Fix My Street. This is a far superior system and will save the council money. Given the financial pressures the council are under, why has Fix My Street system not been implemented?

6.7 Questions from Ibrar Hussain (2 in total)

Q1: private hire and hackney carriage driver policy

What Impact or Risk Assessment carried out for Existing Driver's licensed due to change of policy or implementation please explain; No indication given what the cost of refresher courses will be for existing driver's licensed; No timeline or framework for implementation of new policy change for existing drivers; What consideration is given for inhouse training, sourcing out or from other organisations outside the council to provide such accredited courses; Will the licensing service publish in writing/email to existing driver's explaining in plain simple English changes agreed by the policy committee avoiding jargon; Delay period should be allowed due to cost of living crisis for existing driver's only, until everything is in place and existing drivers are kept updated fully; what consideration is given that this policy committee receives a detailed report prior to any implementation, and mindful of cost of living crisis that is affecting everyone and special effects on self-employed; What consideration was given to comments and feedback on knowledge test changes, and revising the knowledge Test inconsideration of deleting routes section only, and to help support keeping Sheffield residents applying for taxi badges and benefit locally to avoid and stop cross border working in Sheffield; bring a report to this policy committee on knowledge Test.

Q2: Taxi licensing in general

What consideration will the council give to surcharge due to high increase in fuel prices increases for hackney carriage trade? Why is the licensing service not open and when is licensing service considering this option with timeline and framework; When will the licensing service publish its audited accounts, for licensees to

examine in depth for licensing service as a whole and including taxi/ph section; When will licensing service publish its comprehensive forward plan to bring in IT service and bring licensing service up to date with technology and portal so drivers can access long overdue service online; When will licensing service bring to this policy committee re vehicle specification for hackney carriage and private hire vehicle specification policy review; Working with other authorities to stop cross border working can the licensing service publish its actions to date and future plans including enforcement; To promote taxi trade in Sheffield can the licensing service publish its actions to date and future plans; What steps is the licensing service taking to assist, support and give incentives to local residents of Sheffield to take knowledge taxi tests in Sheffield instead, that will stop cross border working in Sheffield; Can the licensing service publish its taxi trade recognition / engagement policy to date; Can the licensing service publish what support it has given the taxi trade within last 3years, financial years 19/20,20/21,21/22; Can the licensing service publish its responses and actions to govt consultations e.g. DFT etc affecting taxi trade policy changes; Within Sheffield city council what representation has the licensing service made to support the taxi trade and publish its actions as evidence in the last 3yrs; When will the licensing service carry out unmet demand for hackney carriage trade if it is to retain any number's; Can the licensing service publish responses received from taxi trade organisations re consultation on hackney carriage driver's policy review and make public; What financial support did the licensing service receive from the govt in last 3yrs re covid-19 financial package and how it was spent proper breakdown would be appreciated; When is the licensing service proposing to bring forward review of the fee's, and as previously reported 2 separate reports one for general licensing service and other for Taxi & Private Hire Section.

6.8 Question from a Sheffield Licensed driver

What steps is the council taking in card machines as a licensing condition for all hackney carriage vehicles as a station driver I see customers being refused for this sole reason. This should be a vehicle license condition immediately in my opinion. The knowledge test needs to be separate for hackney carriage drivers and a separate one for private hire new applicants. The hackney carriage should be a-lot more in-depth as in Birmingham than currently in Sheffield. The bar should be higher for hackney carriage only in Sheffield

6.9 Question from Mazer Hussain

Firstly, I would like to ask the board why are drivers being subjected to a policy where they are being discriminated against where SCC are trying to implement the double standard policy of being convicted of an offence of using a mobile phone device and having their Taxi license suspended and not being able to apply again for a number of years! In any other profession if you're a ambulance driver a police man or even a fire man a lorry driver or even a councillor if one is convicted of this offence the sentencing guide lines are 6 penalty points on their driver's license and a monetary fine! Nowhere does it give the powers to the courts to ban or revoke one's driver license or them losing their livelihood!

So why do the council believe it's a fair policy for taxi drivers to be sentenced by the courts for this particular offence and then receive a second punishment for the

same offence having their livelihood taken away and not being able to apply for a number of years! It is quite clear this policy is one which is biased double standards an unacceptable and unjustified.

6.10 Question from James Martin - Transport 4 All Taxi sub-group

The taxi and private hire driver policy update is really important for the disabled people of the city. We have regularly heard from people over many years about issues many of which relate to driver understanding and or lack of response to needs. It is for this reason that we very much welcome the inclusion of training specific to the needs and experience of disabled people. However, we are surprised and concerned at the proposal to extend training deadlines for existing drivers from 12 months to 3 years! [See page 245 of the meeting pack Part 8.3 for the change of concern]

For the group of disabled people who have input into consultation responses this is too slow! Safeguarding, and Disability and Equality training are closely coupled topics. The erroneous differentiates between these two aspects in the form of different requirements for training for existing drivers should be reverted to 12-months.

To illustrate, disabled people sharing their experience in consultations identified drivers not taking short distance trips. Often short trips are vital either due to mobility difficulties making it risky or impossible to travel the distance, or more importantly for safety when more vulnerable at whether due to a visual or other impairment particularly at night is just as important. Difficulty or even failing to get access to Taxi or Private Hire service puts disabled people at greater risk than others where the principle of safeguarding is to reduce risk of harm. Training to ensure equal serving of passengers with and without additional needs is a vital feature of successful safeguarding with the goal of avoiding or minimizing risk or harm. Further details to benchmark training against other transport sectors follow in Appendix A for elected members to consider.

We are also concerned that our input on ensuring that inappropriate grant of exemptions for assisting wheelchair users has not been embodied in the policy update. A 100% wheelchair accessible hackney fleet is currently (and should continue to be) mandated in Sheffield. Drivers who cannot deploy the ramp at a minimum render the vehicle no longer available to wheelchair users. Though temporary exemptions might be proportionate for short term infrequent issues or injuries, permanent exemptions in this case are wholly unacceptable. Bus drivers are not fit for duty if they are unable to operate the ramp and this should not be different in the taxi sector. A driver transferring to private hire enables drivers to retain their livelihood where an exemption is more appropriate and effective Private Hire Operator systems can ensure that appropriate work is booked such that their exemption does not prevent travel for wheelchair users or other passenger needs for elderly or disabled people. Again further details for comparison with other sectors follows in Appendix B for members who wish to see more evidence.

We hope that the period to adopt disability and equality training is reduced back to

the original period identified in the consultation and that a response will be given to concerns around hackney drivers and exemption certificates.

Quicker training requirement to be reinstated in alignment with the wider transport sector - Disabled Sheffielders' are experiencing discrimination already, from being refused as a wheelchair user at a taxi rank, to having much longer waits or no availability for a Wheelchair Accessible vehicle, to being charged extra (illegally) for carrying a wheelchair, assistance aid, or assistance dog, and sadly many more issues. The time for starting to redress this issue is now and it starts with proper training with a sense of urgency and return to the 12-month time frame. If a large industry such as rail can achieve this in 2 years, then Sheffield should also be more ambitious especially as the training content will be less than the mandatory modules that the rail industry specify.

Wheelchair Assistance Exemptions - Wheelchair handling exemption certificates should only be accepted temporarily and infrequently for hackney carriage drivers, or this removes the 100% wheelchair accessible nature of the fleet.

We call on the committee to ensure that exemptions do not create a workaround for existing good accessibility policy and emphasise that such requirements are backed up equivalent scenarios in the wider transport industry. If this is not possible then we request that a formal written response is given by licensing officers or the committee as appropriate indicating the precise reason(s) that other transport industry rules are not replicated.

#### 6.11 Question from Nasa Raof – GMB Yorkshire and Humberside S75 Branch

Following on from our GMB Branch officials meeting, we would like to confirm our GMB unions/members position on these proposals. This is with regards to the approval, officers are looking for the new DFT guidance, for which the Licensing Board will sit to decide these decisions on Wednesday 22nd June 2022. We agree with some of the amendments that have been made, However we still require further in depth discussions with some of the other amendments.

This report (as you are aware), was only recently released to the public on the Wednesday 15th 2020. The deadline of 9am Monday 20th June 2022 is set for anyone to raise objections/questions or to make representation (with chairs permission). This is a 400 page report, which takes both time and effort to read an analyse the appendixes and amendments. IE: PAGE-158, 'Fit and Proper Threshold'....

Albeit, we as GMB are asking the 'Policy' Committee to DEFER this meeting for the following reasons:-

1. We do not believe in the way this consultation took place, (it lacked real communication with the Trades).
2. It's a 400page Report/Document, that one is expected to read and digest in a short period of time, makes it almost impossible for the average member of the public to take on aboard and then to make a submission on back of that.
3. The council can show the proposals are both proportionate and diligent.
4. Some of our members have shown us concern that they did not receive any

form of communication RE: (this report), (hence the figure of 171 responses May reflect this).

5. They aim not to discriminate against a trade that is majority BAME.

To conclude we as GMB UNION are asking for the following:-

1. More time to read and digest the 400 page document.
2. More in depth discussions with the GMB, people who will be first hand affected by these guidance changes.

However we feel that if the Council refuses to listen to us as the GMB UNION the consequences maybe seen as that/will be:-

1. A divided trade.
2. A council that doesn't listen to its drivers.
3. A council that discriminates against its licensed drivers.
4. A trade where more drivers will leave and have already left due to cost of buying new vehicles and maintenance
5. Safeguarding and public getting taxes. As licensees will be lower demand will increase and less drivers will mean the public will not get taxis at the end of a night which we have already seen.

Please work with the trade and not against us.

## **7. MONTH 1 MONITORING, FINANCIAL POSITION AND BUDGET TIMETABLE**

7.1 Director of Finance and Commercial Services presented a report to bring the Committee up to date with the Council's financial position as at Month 1 2022/23. The report also sets out the proposed budget timetable for the development of the 2023/24 budget

7.2 **RESOLVED UNANIMOUSLY:** That the Waste and Street Scene Policy Committee: -

(i) notes the Council's challenging financial position and the Month 1 position;

(ii) notes the budget timetable set out in this report including the requirement for the Committee to plan to develop budget proposals over the course of the summer;

(iii) notes that the Strategy and Resources Committee agreed at its 31 May 2022 meeting to "require any Policy Committee that is forecasting an overspend on their budget to develop an action plan to address the overspend in-year and ask the Finance Sub-Committee to monitor both the development of any required action plans and delivery against them"; and

(iv) commissions work from officers to develop opportunities to address the underlying inflationary pressures that will continue into next year to bring spend back in line with budget.

## **7.3 Reasons for Decision**

- 7.3.1 Under section 25 of the Local Government Act 2003, the Chief Finance Officer of an authority is required to report on the following matters:
- the robustness of the estimates made for the purposes of determining its budget requirement for the forthcoming year; and
  - the adequacy of the proposed financial reserves.
- 7.3.2 There is also a requirement for the authority to have regard to the report of the Chief Finance Officer when making decisions on its budget requirement and level of financial reserves.
- 7.3.4 By the law the Council must set and deliver a balanced budget, which is a financial plan based on sound assumptions which shows how income will equal spend over the short- and medium-term. This can take into account deliverable cost savings and/or local income growth strategies as well as useable reserves. However, a budget will not be balanced where it reduces reserves to unacceptably low levels and regard must be had to any report of the Chief Finance Officer on the required level of reserves under section 25 of the Local Government Act 2003, which sets obligations of adequacy on controlled reserves.

#### 7.4 **Alternatives Considered and Rejected**

- 7.4.1 The Council is required to both set a balance budget and to ensure that in-year income and expenditure are balanced. No other alternatives were considered.

### 8. **FOOD WASTE TRIAL**

- 8.1 The report provided details for the introduction of a 12-week separate food waste collection trial for approximately 8,000 households. The purpose of the trial will be to test the real-life experience of operating food waste collections in Sheffield and inform resource requirements for the future expansion of a permanent food waste collection service across the city. The duration and size of the proposed trial has been determined to provide sufficient data to inform the roll out of food waste collections citywide.

- 8.2 **RESOLVED UNANIMOUSLY:** That the Waste and Street Scene Policy Committee approves the delivery of a 12-week food waste recycling trial, to approximately 8,000 households as detailed in this report; and

The Waste and Street Scene Policy Committee undertook a ballot on the days and areas that should be included in the food waste trial, based on the parameters provided in Appendix 4 of the report to the Committee.

#### **RESOLVED BY BALLOT:**

- (i) That the days of collection should be Tuesday – Friday;
- (ii) That for Tuesday the area should be Option 1 (Woodseats, Norton Lees, Meersbrook);
- (iii) That for Wednesday the area should be Option 1 (Chapelton, Ecclesfield, Burncross);



- (iv) That for Thursday the area should be Option 1 (Arbourthorne, Gleadless Valley); and
- (v) That for Friday the area should be Option 2 (Darnall).

### **8.3 Reasons for Decision**

- 8.3.1 The Environment Act was enacted into UK Law in November 2021. This will lead to some major changes to Sheffield's waste and recycling services, including mandating the introduction of separate, weekly food waste collections. Experience of authorities already operating food waste collections, demonstrates wide ranging performance in terms of public participation in food waste collection services and the amount of food waste collected.
- 8.3.2 Discussions are underway with Veolia to plan for the delivery of a citywide food waste recycling service. However, the wide-ranging factors and influences on scheme performance, and lack of experience of operating food waste collections in Sheffield makes it difficult to model resource requirements, and associated cost

### **8.4 Alternatives Considered and Rejected**

- 8.4.1 *No trial* - This would mean that the introduction of a citywide food waste collection service, as mandated through the Environment Act, would be based on a desktop analysis and modelling, and the resource requirements would not be informed by a real life delivery of food waste collections in Sheffield.
- 8.4.2 *Deliver a modified version of the trial over a shorter period and/or with fewer households*. This option would reduce the financial cost to the Council for undertaking the trial. However, the collection resources Page 31 Page 12 of 14 5.3 (vehicles and crew would not be fully deployed and there would be minimal saving from this) and the quality and robustness of the service performance data would be reduced.
- 8.4.3 *Carrying out a modified version of the trial over a longer period of time and/or with additional households*. This option would incur significant additional costs that would have to be paid by the Council and which could not be accommodated under the current forecasted council

## **9. REVIEW OF PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER POLICY**

- 9.1 The report provided details of a revised Hackney Carriage and Private Hire Driver's Licence Policy. The Licensing Authority is seeking approval of a revised policy, it was first published in 2016, the policy provides information and guidance on: applications, decision-making, and enforcement. In providing a publicly available document, it allows: transparency, accountability, and consistency.

The licensing authority is responsible for the regulation of hackney carriage and private hire drivers licensed in the district of Sheffield. Primary legislation regulates the industry, namely: Town Police Clauses Act 1847, and Local Government (Miscellaneous Provisions) Act 1976.

- 9.2 **RESOLVED UNANIMOUSLY:** That the amendment below is the Substantive Decision of the Waste and Street Scene Policy Committee:

**AMENDMENT:** That the Waste and Street Scene Policy Committee seek views of Licensing Committee before the policy is approved for implementation; and that the Private Hire and Hackney Carriage Driver Policy returns as a recommendation for decision to this Committee September 2022.

**Carried with 7 For, 2 Abstentions and 0 Against.**

ORIGINAL RECOMMENDATION FOR DECISION NOT PASSED: That members of the Committee approve the revised Hackney Carriage & Private Hire Drivers Licence Policy to come in to force on 1<sup>st</sup> September 2022.

### 9.3 **Reasons for Decision**

- 9.3.1 The Committee want a steer from Licensing Committee before making a decision on implementing the revised Hackney Carriage & Private Hire Drivers Licence Policy. The statutory guidance requires when formulating a taxi and private hire vehicle policy, the primary and overriding objective must be to protect the public.

### 9.4 **Alternatives Considered and Rejected**

- 9.4.1 The Waste and Street Scene Policy Committee considered the recommendation to approve the policy and rejected it because they wish to seek views of Licensing Committee before making a decision because in setting this policy the Council should intend that the Licensing Committee who will deal with a large number of cases, ensure that cases will be dealt with in a standard way: applying the same criteria and attaching the same weight in each case, and so ensuring consistency and administrative efficiency.

## 10. **PLAN FOR 500K BUDGET AMENDMENT FOR STREET SCENE IMPROVEMENTS**

- 10.1 The report provided details for proposals on how to deliver the £500k investment agreed as a budget amendment for 22/23. This is a one-off budget lift so a mix of invest to save, and one-year improvements are proposed to ensure sustainability.

A 500k budget amendment was agreed for 22/23 with the following accompanying text: *'Street clean environmental enforcement one-off funding directed specifically to the areas of most need, to deal with issues around litter, vermin and street cleaning.'*

- 10.2 **RESOLVED UNANIMOUSLY:** That the Waste and Street Scene Policy Committee agrees the spending proposals in the attached report to cover a mix of clean up increased enforcement and 'invest to save' proposals to deliver quick wins in year and sustainable improvements in the city over years to come.

### 10.3 **Reasons for Decision**

- 10.3.1 Local Authorities have various duties to help maintain the local environment. This includes the activities suggested in this report. Under Part 4 of the Environmental Protection Act 1990 (EPA), local authorities have a statutory duty to keep relevant land free of litter and refuse. Section 33 of the EPA provides for the offence of fly tipping. The Prevention of Damage by Pests Act 1949 requires local authorities to take such steps as may be necessary to secure so far as practicable that their district is kept free from pests.
- 10.3.2 These proposals offer the best balance of quick wins which most residents and businesses will benefit from, alongside taking opportunities to change and improve how services work and how we work with residents and businesses to prevent problems in the future. This will ensure improvements can be sustained and at the lowest possible cost.

#### 10.4 **Alternatives Considered and Rejected**

- 10.4.1 The main alternative option was to put more or all the funding into simply doing one-year increased cleaning and enforcement and including more litter clean ups in between contractual Amey cleans. However, there is the obvious risk from that, in that there is no sustainability once the money has gone. SCC would risk having to spend another £500k in 23/24 and potentially each year to achieve the same gains. Also having done a huge clean, but not changed how we work and more prevention activities, residents would perceive an improvement and then any subsequent slide very acutely thereby increasing pressure to continue the £500k each year.
- 10.4.2 Instead, the proposals assume no additional investment in year 2 or beyond to maintain the improvements, although there may be further policy decisions required as the project officers develop proposals. These could be eg on the future level of waste disposal for community litter picks off the network if volunteering does increase, although these are not expected to be large costs compared to the benefit in kind or the original £500k.

### 11. **WASTE AND STREET SCENE POLICY COMMITTEE OVERVIEW**

- 11.1 **RESOLVED UNANIMOUSLY:** To defer to next meeting of waste and street scene policy committee.

### 12. **WORK PROGRAMME**

- 12.1 **RESOLVED UNANIMOUSLY:** That the Waste and Street Scene Policy Committee's work programme as set out in Appendix 3 be agreed.