

**MAIDSTONE BOROUGH COUNCIL**

**CABINET MEMBER FOR THE ENVIRONMENT**

**REPORT OF THE ASSISTANT DIRECTOR OF ENVIRONMENT  
AND REGULATORY SERVICES**

**Report prepared by\_ MARTYN JEYNES**

**Date Issued: 01 September 2011**

1. **Dog Waste Bin Provision and Alternative Budget Strategy Cost Saving Options**
  - 1.1 Issue for Decision
    - 1.1.1 To consider alternative proposals to removing dog waste bins which had previously been identified in the budget strategy as a saving in 2011/2012.
  - 1.2 Recommendation of the Assistant Director of Environment and Regulatory Services.
    - 1.2.1 That the provision of dog bins continues throughout the Borough.
    - 1.2.2 That the alternative cost saving options presented in this report are used to achieve budget strategy savings of £33,000 originally identified for 2011/12.
    - 1.2.3 That the existing contractor is retained to empty and maintain dog waste bins for one year until 30th July 2012.
    - 1.2.4 That the existing provision of dog waste bins is not increased and that officers will base any decision to replace damaged bins on the criteria of suitability of location, proximity to alternative dog waste and standard litter bins and likely usage.
  - 1.3 Reasons for Recommendation
    - 1.3.1 **Appraisal of Original Option to Remove Dog Bins**
    - 1.3.2 The 'Council's Budget Strategy for 2011/12 – identifies savings within the Environment portfolio of £33,000 in relation to the removal of dog bins.

1.3.3 In preparing for the changes it has become clear through feedback from residents and parishes that the removal of the dog waste bins would be unpopular, require a significant change in dog walking habits and posed a risk of increasing incidents of dog fouling or littering of bagged dog waste. The Cabinet Member received a number of representations.

1.3.4 This information has been discussed informally with the Cabinet Member and in light of this and more detailed analysis of the original option officers were requested to find alternative savings to meet the budget strategy. These are now presented below and will achieve the savings required with more certainty and without having the same impact on services offered by Maidstone Borough Council.

**1.3.5 Alternative Cost Saving Options**

1.3.6 The savings required could be achieved with the following changes, further details are provided below the table:

Option	Savings Achievable 2011/12
Deletion of 0.5 post in Environmental Enforcement	£13,030
Rationalise Out of Hours Cover Arrangements	£4,000
Additional Savings from recently deleted posts	£10,890
Savings from the parking partnership	£5,080
<b>Total</b>	<b>£33,000</b>

1.3.7 A budget for half a full-time equivalent post exists within the Environmental Enforcement section. This post originally existed to fund a Civic Warden's position although was not filled through 2010/11. The capacity of the Environmental Enforcement section to enforce against environmental crimes has been expanded significantly through the trial and recently the subsequent contract procurement of self funded officers through private contractor, Xfor. This has proven to be a cost effective way of enforcing against environmental crimes and as such, this half post could be deleted with minimal impact on service delivery.

- 1.3.8 The Council currently offers a service to deal with urgent matters arising outside of normal office hours. This service currently comprises of two teams, one dealing predominantly with environmental health related matters and another which deals with more general matters. With appropriate revisions to procedures and training for officers this service could be rationalised into a single team which could generate the savings indicated above. The service would aim to deal only with situations which genuinely require an urgent response which would result in a more cost effective delivery of essential cover.
- 1.3.9 Action already taken during the financial year 2011/12 to delete the post of Technical Facilities Manager has achieved actual savings in excess of those previously published in budget strategy for 2011/12. This will deliver an additional £10,890 in 2011/12.
- 1.3.10 The remaining £5,080 will be achieved this year as a part of a parking partnership between Maidstone and Swale.

#### **Extension of the Existing Contract.**

- 1.3.11 In 2008, following a tender exercise in compliance with the European Procurement Regulations, a contract to service and maintain dog waste bins was awarded to RIP Cleaning Services. The service contract was awarded for 3 years with two opportunities to extend the contract by a further year in 2011 and again 2012.
- 1.3.12 Due to the review into the provision of dog bins and the potential to remove bins, RIP Cleansing Services were issued with notification of termination of contract. However, whilst the review has been ongoing RIP have continued to operate under the existing contract terms. The option remains to extend the contract for 12 months to ensure continuity of service if the decision outlined above is taken to retain the dog bins.
- 1.3.12 This contract has operated very well through the contract period and is considered to represent value for money to the Council both in terms of cost and performance.
- 1.3.13 The option to extend the existing contract is subject to renegotiation of existing charges. Efforts will be made to reduce the cost of the contract and offset any additional costs.

#### **Current provision of dog bins**

- 1.3.14 The Council will continue to empty and maintain dog bins provided in the Borough. A number of the bins are in need of repair or replacement although there is no capital funding. Officers will seek to

find a cost effective approach to maintaining or replacing bins wherever possible.

- 1.3.15 The Council frequently gets requests for new bins, from both the public and Elected Members, to address issues with localised fouling hotspots. In 2008 it was agreed that the current bin provision be frozen. Research has shown that whilst the provision of bins allows responsible dog owners to dispose of their dog's waste, the provision of dog bins alone does not encourage irresponsible owners to pick up after their dog.
- 1.3.16 Since 2008, a change in classification means that bagged dog waste can be treated as litter for disposal and therefore no longer treated as special waste. In May 2010 the Council launched its Foul Play campaign which aims to reduce fouling and promote responsible dog ownership. A key aspect of "Foul Play" was to promote the use of litter bins and domestic waste bins alongside the specialist dog bins.
- 1.3.17 The Council provides in excess of 1300 litter bins which are all suitable for the disposal of bagged dog waste. Extending this message assists in encouraging responsible dog ownership by offering more opportunities for dog owners to dispose of dog waste responsibly.
- 1.3.18 Analysis has been undertaken into the current bin provision, which has included generating maps which identify locations of both dog waste and litter bins. Initial findings from this analysis suggest that there is scope for the current bin provision to be reviewed to ensure that bins are well distributed and suitably placed. It is recommended that this programme is continued to ensure that bins of all types are positioned effectively and in a way which makes best use of the Council's resources.

#### 1.4 Alternative Action and why not Recommended

- 1.4.1 The previous decision to remove dog waste bins could be implemented but, as detailed in this report, this has led to some public dissatisfaction. In addition to this it would not be well received by a large number of residents and may lead to a greater frequency of incidents of dog fouling or littering of bagged dog waste.
- 1.4.2 The contract to empty and service these dog bins could be retendered rather than extended. This has not been offered as an option since the tender exercise conducted in 2008 demonstrated that the current contractor's offer is competitive. Also, in order to ensure that dog bins continue to be serviced regularly, retendering this contract at this stage would pose a risk to the Council by not having an ongoing

collection arrangement in place whilst a procurement exercise is undertaken to seek an alternative.

## 1.5 Impact on Corporate Objectives

1.5.1 The options presented in this report support the corporate objective for Maidstone to be a decent place to live by ensuring that there is adequate provision of bins to prevent littering or dog fouling.

1.5.1 The alternative cost saving options presented will also support the Council's corporate objective for corporate and customer excellence through its strategy to have value for money services that residents are satisfied with.

## 1.6 Risk Management

1.6.1 There have been a number of recent articles and letters in the local press publicising the possible removal of dog bins from Maidstone. This coverage has given an indication of the potential strength of feeling which could be expected to follow if the council were to go ahead with removal of the bins. There is therefore a strong risk that the Council's reputation would be adversely affected.

1.6.2 There is a risk that the savings presented will not be achieved within the time required. All options presented, however, have been considered carefully and are expected to be achievable to ensure that budget strategy commitments are met.

1.6.3 There is a risk that the existing contractor, RIP Cleaning Services, may request an uplift on the contract value if asked to extend by one year. This is within the terms of the contract as the contract has reached the end of its first 3 year period, although there is an option to extend by up to 2 years. This risk is thought to have been increased in recent months as the goodwill of the contractor has been tested through the recent period of uncertainty during which notice was given to the Contractor that the service would not be continuing. If the Contractor does seek to implement an unreasonable increase in the contract value then alternative arrangements would have to be sought. It is thought that continuity of service could be achieved by using in-house resources. Although this option is a way of mitigating this risk, it is not thought that it offers a better short-term solution to extending the existing contract arrangements.

1.7 Other Implications

1.7.1

1.	Financial	X
2.	Staffing	X
3.	Legal	
4.	Equality Impact Needs Assessment	
5.	Environmental/Sustainable Development	
6.	Community Safety	
7.	Human Rights Act	
8.	Procurement	X
9.	Asset Management	

1.7.2 The financial implication of this is that it allows the budget strategy saving for the Environment Portfolio to be met although in a way which is different from that originally presented in the Budget Strategy.

1.7.3 The staffing impact will be through the deletion of the vacant half post within the Environmental Enforcement section. This post has been vacant for an extended period and is not likely to result in any change in actual service delivery as this has recently been strengthened through the procurement of alternative self financing enforcement activities.

1.7.4 The decision to extend the contract with RIP Cleaning Services to empty and maintain dog bins is within the terms of the original tendering exercise conducted by Procurement

1.8 Relevant Documents

1.8.1 Appendices

None

1.8.2 Background Documents

1.8.3 Budget Strategy – Corporate Revenue and Capital Budget 2011/12 Onwards

**IS THIS A KEY DECISION REPORT?**

Yes

No

If yes, when did it first appear in the Forward Plan?

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This is a Key Decision because: .....

.....

Wards/Parishes affected: .....

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**How to Comment**

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

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