

Report of Director of Communities and Environment

Report to Executive Board

Date: 21st March 2018

Subject: Bin Yards Regeneration Investment

Are specific electoral wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, name(s) of ward(s): Armley, Beeston and Holbeck, Bramley and Stanningley, Burmantofts and Richmond Hill, City and Hunslet, Gipton and Harehills, Headingley, Hyde Park and Woodhouse, Kirkstall.		
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, access to information procedure rule number:		
Appendix number:		

Summary of main issues

1. In many areas of inner city Leeds, the shared yards associated with back-to-back properties, are creating significant environmental and housing related problems. These shared yards have attracted high levels of fly tipping for many years.
2. Whilst a variety of low-cost solutions to the problems have been trialled over the years, from encouraging residents to use the yards properly, to simply clearing and permanently securing the yards thus denying access to residents, none of these approaches have fully resolved the issues.
3. Recently a new approach has been trialled in the 'Recreations' area of Holbeck. This has involved securing the yards, moving the walls back and providing communal waste and recycling bins secured in frames. The approach has delivered real improvements in the quality of the local environment.
4. The council has identified 696 'problem' bin yards across the city, which are in need of intervention. There is a strong non-financial business case for investment given the significant negative and ongoing impact of the yards on our most deprived communities.
5. The council therefore seeks to inject £247,500 into the Capital Programme, to deliver improvements to around 45 yards, and to use this learning to further develop the business case for a citywide approach to bin yard improvements.

Recommendations

Executive Board are recommended to:

- Note the content of this report;
- Approve the injection of £247,500 into the Capital Programme, to deliver improvements to around 45 yards;
- To note that the Director of Communities and Environment will be responsible for its implementation.

1.0 Purpose of this report

- 1.1 This report seeks to describe the anti-social behaviour and illegal activities (e.g. fly tipping) associated with 'bin yards' in the inner city, to set out the case for investment to improve the 'problem' yards and identify a route to secure the long-term funding required to do so.

2.0 Background information

- 2.1 Back-to-back properties were built during the late 18th century through to the early 20th century. Toilets and water supplies were shared with multiple households in enclosed courtyards.
- 2.2 Nationally, many back-to-backs have been demolished in waves of clearance and regeneration schemes, but large numbers remain in Leeds, mainly in the inner-city areas. Over time, bathrooms were relocated inside the properties and the enclosed courtyards were used for other activities. This often meant the storage of bins and so, in Leeds, these yards over time, became known as 'bin yards'.
- 2.3 Leeds probably has more back-to-back properties remaining than any other city in the UK, and far more concentrations than most other core-cities; so this is a relatively unique challenge for the city.
- 2.4 Historically refuse collection was undertaken from the yards, initially using hand-bins and bag collections, and then subsequently via wheeled bins. Wheeled bins should have been stored in the shared yards between collections, presented for emptying on collection day, and then returned to the yards. In reality the shared nature of the yards, and the transience of tenure, meant that often bins were not presented for emptying, and were not returned to the yards after collections.
- 2.5 Throughout the city, unmanaged/unsecure bin-yards have attracted fly tipping for many years. Although public complaints about fly tipping have remained at a similar level over a number of years, fly tipping in areas of high density, back-to-back, terraced housing has a greater impact than in other neighbourhoods. Unsecured yards are often used as dumping areas for waste and fly tipping, often by criminals from other areas of the city. This leads to significant accumulations of waste. Appendix A shows examples of yards where this has occurred.

3.0 Main issues

- 3.1 The environmental problems associated with these yards have large-scale impacts on residents and the look and feel of the streetscene in these communities. The yards are in between back-to-back properties, and the accumulation of waste can directly impact the quality of housing in those adjoining properties. Problems with waste, in close proximity to housing, can exacerbate pest control issues, such as rats, which are already more prevalent in these types of properties. Access for maintenance of the properties can also be impacted and therefore impact on the quality of the housing stock itself.
- 3.2 Anecdotal evidence from residents suggests that residents are often unwilling to use the yards, fearing crime and anti-social behaviour. Over time, most residents have therefore ceased to use the yards for storing their bins at all, meaning that wheeled bins remain on the street between collections. This impacts negatively on the visual

appearance of the area, but also impedes access to pavements and makes street-cleansing challenging. Moreover, the storage of unsecured green recycling bins on the street, means that contamination is exceptionally high, and recycling levels in these areas are negligible.

- 3.3 An audit has been undertaken to identify the ‘problem’ yards across the city. 696 problematic bin yards have been identified. The table below shows the numbers in each area.

Area/Zone	No. Problematic Bin Yards
Armley	106
Beeston and Holbeck	74
Burmantofts and Richmond Hill	106
City and Hunslet	68
Harehills	124
Headingley/Hyde Park & Woodhouse	216
Kirkstall, Bramley and Stanningley	2
TOTAL	696

- 3.4 This clearly shows the most problematic yards are located in our most deprived communities, many of which fall within identified priority neighbourhoods. These are areas where residents are already likely to be experiencing poorer outcomes than the general population of Leeds, not only in terms of the environment but also the quality of housing, higher crime/ASB rates and poorer economic conditions.
- 3.5 Enforcement powers are used where possible to force residents and landlords to take ownership and deal with some of the yards, but in reality the shared nature of many of these yards make this exceptionally challenging, very resource intensive and usually with work done in default/at risk by the Council anyway.
- 3.6 In addition, a significant number of the yards are not registered as having an owner. When they were first built the adjoining properties will probably have had shared ownership and responsibility for the yards. Because land registry was historically not compulsory, and over time deeds have not reflected shared responsibilities, large numbers of these yards now have no registered owner on the land registry. This makes enforcement of any fly tipping or waste problems in the yards exceptionally difficult. In reality therefore, in most cases the council has no choice but to clear and secure the yards at taxpayers’ expense.
- 3.7 The nature of tenure in these types of properties is generally private rental, and often short-term in nature, meaning transience is high. Where ownership can be identified, it is generally shared amongst a number of properties. When there are problems, the owners of the properties are often unwilling to take responsibility, and it is often almost impossible to broker agreements between different property owners to resolve issues when they arise. It is often difficult to then prove which of the shared-owners is responsible for the lack of upkeep, and so a long standing, responsible resident who happens to share ownership with an irresponsible person may face legal action taken against them too.

- 3.8 A variety of low-cost solutions to the problems have been trialled over the years, from encouraging residents to use the yards properly, to simply clearing and permanently securing the yards denying access to residents. None of these approaches fully resolved the issues described above.
- 3.9 More recently, as part of the Private Sector Housing led 'Neighbourhood Approach' in the Receptions area of Holbeck, the council trialled a new approach. This has involved securing the yards, moving the walls back and providing communal waste and recycling bins secured in frames. Residents no longer need access to the yards, but have their waste and recycling collected from communal bins that are secure. The wheeled bins have been removed from the street, and access to the yards has been restricted, with the council as key-holder unless the owner(s) agree to legal responsibility for the yard. The results have been positive (see Appendix B), delivering real improvements in the cleanliness of the converted yards, and of the surrounding streets. Beeston and Holbeck Elected Members have been intrinsically involved in the project, and have advocated for the approach in other wards.
- 3.10 Improving the yards will improve local environments and deliver some cost savings (see section 4.4 below). There is a strong non-financial business case for investment given the significant negative and ongoing impact of the yards on our most deprived communities.

4.0 Corporate considerations

4.1 Consultation and engagement

4.1.1 Local Elected Members in these areas have expressed significant frustration at the Council's inability to manage the impact of the yards, and to find a sustainable solution to the problems associated with them. In particular Members in Beeston and Holbeck, City and Hunslet, and Gipton and Harehills wards have been lobbying hard for a solution to be found for many years. Should the proposals in this report be agreed, a prioritised programme of work will be agreed, in consultation with Community Committee Environmental Champions.

4.2 Equality and diversity / cohesion and integration

4.2.1 Given that this investment would be focused on some of our most deprived communities, there are positive benefits on the equality of environmental outcomes and housing quality in local areas. The approach will also support the council's Locality Working approach in priority areas.

4.2.2 The need for an Equality Impact Assessment will be considered as part of programme of work.

4.3 Council policies and best council plan

4.3.1 This programme of investment would contribute to the fundamental principle of 'tackling poverty and reducing inequality' through improve environmental conditions in some of our most deprived localities.

4.3.2 A key outcome of the Best Council Plan is that we want everyone in Leeds to live in good quality, affordable homes within clean and well cared for places around 'resilient communities. The improvement of yards in these localities, would both improve the

street environment, and the quality of housing, contributing strongly to this key outcome for the city.

4.4 Resources and value for money

- 4.4.1 The cost per yard for the Holbeck pilot was approximately £6,900. Given our experience on larger regeneration projects with other contractors, we believe a more realistic estimate for a large contract of this type, would be around £5,500 per yard. We estimate therefore that the total cost to refurbish all of the 696 yards currently identified to the required standard would be around £3.8 million.
- 4.4.2 If the £3.8 million capital cost was spread across 30 years this would equate to an annual revenue cost of £195,304, although in reality expenditure would be phased in line with the delivery programme. Appendix C shows how, for example, the full phased capital programme might be delivered. The revenue cost in year one, to deliver £247,500 of capital expenditure, and refurbish 45 yards, would be £12,627.
- 4.4.3 Each tonne of residual waste that is diverted from the black bin into recycling saves the council around £85. To fully off-set the costs would require an increase of 2,300 tonnes of recycling each year (around 6% across the city), which is not realistic given the number of properties this would affect, and the average weight of recycling per property across the city. A more realistic estimate of the increase in recycling this might deliver would be around 162 tonnes, which would equate to £13,712 per annum, far below the revenue level required to cover the full costs of the entire scheme.
- 4.4.4 There are significant costs to Cleaner Neighbourhood Teams in managing (including enforcement action) and clearing yards. The additional clearance costs alone are in the region of £50,000 per year for the city. Given historic savings already delivered in the service, any savings would ideally be used to deploy resources to deal with other environmental issues, including in these same priority neighbourhoods. There would also be a need to “police” the new communal bins for side waste/fly tipping whilst residents get used to the new facilities.
- 4.4.5 There is perhaps a socio-economic business case for investment given the significant negative and ongoing impact of the yards on our most deprived communities. These are mainly areas which have largely seen less private sector physical infrastructure investment in recent years and, a highly visible and impactful investment from the Council, could help build confidence and encourage/support further investment/regeneration in these priority neighbourhoods.
- 4.4.6 With that in mind, the Council seeks to inject £247,500 into the Capital Programme, to deliver improvements to around 45 yards in 2018/19, and to use this learning to further develop the business case for a citywide approach to bin yard improvements, either via a capital programme, or through links to other regeneration programmes, to be agreed at a future Executive Board. The annual revenue repayments of this capital (£12,627) will be covered from within the existing Waste Management Services’ revenue budget.

4.5 Legal implications, access to information, and call-in

- 4.5.1 Legal advice has historically been sought around ownership of the yards, and the Council’s ability to undertake works on the yards without the permission of the legal owners. Even though the land registry often does not show clear ownership, it is likely

that historic assumptions about ownership will apply and, at the very least adjacent property owners will have legal rights of access over the yards. At each stage of the process, property owners are consulted in writing and liability issues are addressed. If an owner wishes to take ownership and responsibility for the yard(s) before any work is undertaken, they can do so. In doing this the Council would save any costs of refurbishment, and be able to clearly hold the land-owner accountable for any future environmental issues. The Council's position is therefore straightforward in that any work is carried out without future liability.

5.0 Risk management

- 5.1 The main risk associated with the programme is the legal risk described above. Whilst there is appropriate mitigation in place, the Council will need to ensure at each stage, that it is dealing appropriately with any issues of ownership and responsibility.

6.0 Conclusions

- 6.1 The environmental and social impact of 'bin yards' in inner city areas is large widespread. Whilst a purely financial business case cannot be made for investment, a social and environmental case can be. Investment in these yards will deliver significant improvements to the environments in these back to back areas, and to the residents living within them.
- 6.2 Whilst the bin yard regeneration in Holbeck has delivered real improvements, given the level of expenditure required to regenerate all the identified yards and some of the ownership complexities involved, it may be prudent to undertake further, smaller-scale improvements in some local areas, in order to further test the model and justify a larger, citywide, capital regeneration scheme.
- 6.3 This would also provide opportunity to look at other bespoke solutions to individual yards where creating bin storage provision is not actually needed; for example creating a parking space, communal space or other physical solution/use that will prevent fly tipping and other ASB activities.
- 6.4 With that in mind, the council seeks to inject £247,500 into the Capital Programme, to deliver improvements to around 45 yards, and to further develop the business case for a citywide capital programme.

7.0 Recommendations

- 7.1 Executive Board are recommended to:
- Note the content of this report;
 - Approve the injection of £247,500 into the Capital Programme, to deliver improvements to around 45 yards;
 - To note that the Director of Communities and Environment will be responsible for its implementation.

8.0 Background documents¹

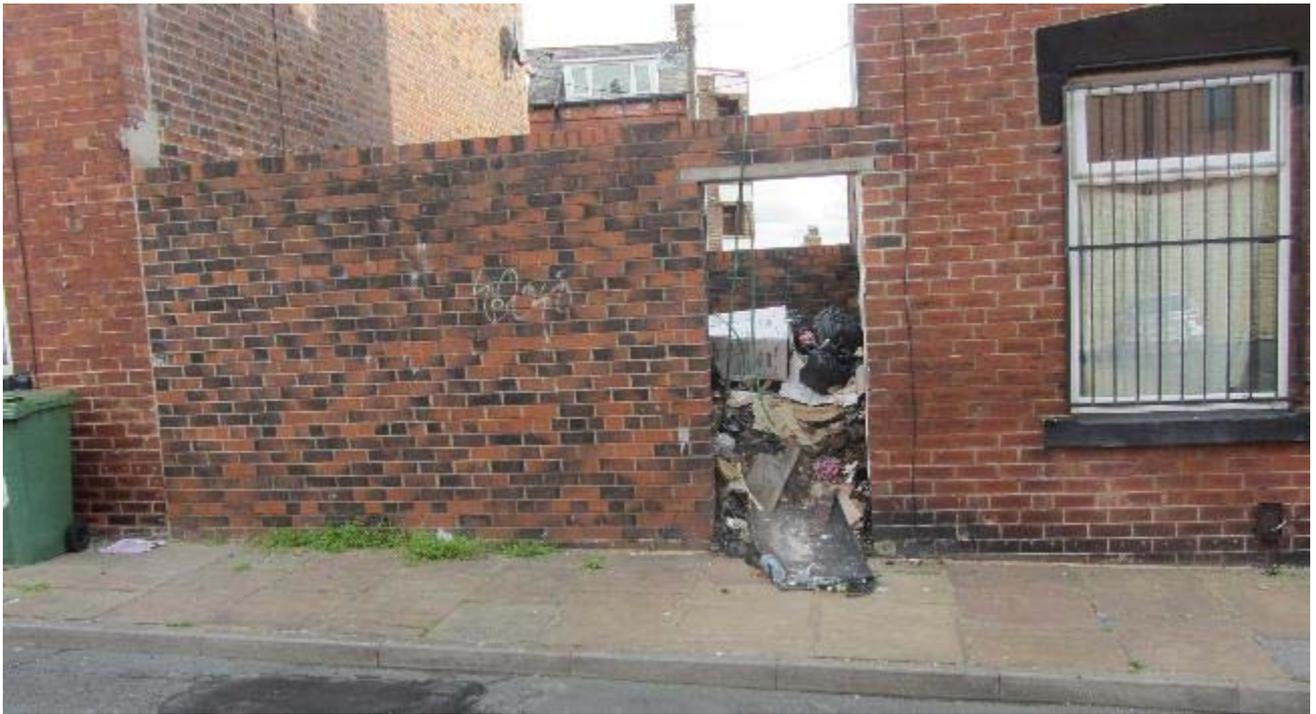
8.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Appendix A – Bin Yard Examples







Appendix B – Recreations Refurbished Bin Yards



Appendix C – Example Capital Phasing

	Financial Year							
	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26+
Number of Yards completed	45	100	100	100	100	100	100	51
In Year Expenditure	£ 247,500	£ 550,000	£ 550,000	£ 550,000	£ 550,000	£ 550,000	£ 550,000	£ 280,500
In Year Additional Revenue Impact (30 years)	£ 12,627	£ 28,061	£ 28,061	£ 28,061	£ 28,061	£ 28,061	£ 28,061	£ 14,311
Cumulative Expenditure	£ 247,500	£ 797,500	£ 1,347,500	£ 1,897,500	£ 2,447,500	£ 2,997,500	£ 3,547,500	£ 3,828,000
Revenue Repayment (30 years)	£ 12,627	£ 40,688	£ 68,749	£ 96,810	£ 124,871	£ 152,932	£ 180,993	£ 195,304