

# Joint Scrutiny Panel of Somerset Waste Board

Wednesday 13 February 2019

2.00 pm Broughtion House, Blackbrook  
Park Avenue, Taunton



To: The Members of the Joint Scrutiny Panel of Somerset Waste Board

Cllr Aldridge, Cllr P Bradshaw, Cllr N Cottle, Cllr C Goodall, Cllr Gunner, Cllr M Lewis, Cllr L Leyshon, Cllr D Loveridge, Cllr Mansell, Cllr Parbrook, Cllr L Perry and Cllr M Wales

Issued By Julian Gale, Strategic Manager - Governance and Risk - 5 February 2019

For further information about the meeting, please contact Carol James on 01823 356859, [cdjames@somerset.gov.uk](mailto:cdjames@somerset.gov.uk) or or Jamie Jackson on 01823 359040, [jajackson@somerset.gov.uk](mailto:jajackson@somerset.gov.uk)

Guidance about procedures at the meeting follows the printed agenda.

This meeting will be open to the public and press, subject to the passing of any resolution under Section 100A (4) of the Local Government Act 1972.

This agenda and the attached reports and background papers are available on request prior to the meeting in large print, Braille, audio tape & disc and can be translated into different languages. They can also be accessed via the council's website on [www.somerset.gov.uk/agendasandpapers](http://www.somerset.gov.uk/agendasandpapers)



**RNID typetalk**

# AGENDA

Item Joint Scrutiny Panel of Somerset Waste Board - 2.00 pm Wednesday 13 February 2019

**\*\*Public Guidance notes contained in agenda annexe\*\***

1 **Apologies for absence**

2 **Declarations of Interest**

Details of all Members' interests in District, Town and Parish Councils will be displayed in the meeting room. The Statutory Register of Member's Interests can be inspected via the Democratic Services team.

3 **Minutes from the previous meeting held on 6 December 2018 (Pages 5 - 8)**

The Committee is asked to confirm the minutes are accurate.

4 **Public Question Time**

The Chairman will allow members of the public to ask a question or make a statement about any matter on the agenda for this meeting. **These questions may be taken during the meeting, when the relevant agenda item is considered, at the Chairman's discretion.**

5 **Matters Arising**

6 **Resource and Waste Strategy Update**

Report to follow

7 **Recycle More and Collection Contract Procurement Update**

Report to follow

8 **Financial Performance Update 2019-2019 and Final Budget 2019-2020**

Report to follow

9 **Any other urgent items of business**

The Chairman may raise any items of urgent business.

# Agenda Annexe

## Guidance notes for the meeting

### 1. Inspection of Papers

Any person wishing to inspect Minutes, reports, or the background papers for any item on the Agenda should contact the Committee Administrator for the meeting – Carol James on Tel: (01823) 356859 or Email: [CDJames@somerset.gov.uk](mailto:CDJames@somerset.gov.uk) They can also be accessed via the council's website on [www.somerset.gov.uk/agendasandpapers](http://www.somerset.gov.uk/agendasandpapers)

### 2. Members' Code of Conduct requirements

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership. The Code of Conduct can be viewed at: <http://www.somerset.gov.uk/organisation/key-documents/the-councils-constitution/>

### 3. Minutes of the Meeting

Details of the issues discussed and recommendations made at the meeting will be set out in the Minutes, which the Committee will be asked to approve as a correct record at its next meeting.

### 4. Public Question Time

**If you wish to speak, please tell Carol James the Committee's Administrator - by 12 noon the (working) day before the meeting.**

At the Chair's invitation you may ask questions and/or make statements or comments about any matter on the Committee's agenda – providing you have given the required notice. You may also present a petition on any matter within the Committee's remit. The length of public question time will be no more than 30 minutes in total.

A slot for Public Question Time is set aside near the beginning of the meeting, after the minutes of the previous meeting have been signed. However, questions or statements about any matter on the Agenda for this meeting may be taken at the time when each matter is considered.

You must direct your questions and comments through the Chair. You may not take direct part in the debate. The Chair will decide when public participation is to finish.

If there are many people present at the meeting for one particular item, the Chair may adjourn the meeting to allow views to be expressed more freely. If an item on the Agenda is contentious, with a large number of people attending the meeting, a representative should be nominated to present the views of a group.

An issue will not be deferred just because you cannot be present for the meeting. Remember that the amount of time you speak will be restricted, normally to two minutes only.

## **5. Exclusion of Press & Public**

If when considering an item on the Agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act.

## **6. Committee Rooms & Council Chamber and hearing aid users**

To assist hearing aid users the Committee meeting rooms have infra-red audio transmission systems.

## **7. Recording of meetings**

The Council supports the principles of openness and transparency. It allows filming, recording and taking photographs at its meetings that are open to the public - providing this is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings and a designated area will be provided for anyone wishing to film part or all of the proceedings. No filming or recording may take place when the press and public are excluded for that part of the meeting. As a matter of courtesy to the public, anyone wishing to film or record proceedings is asked to provide reasonable notice to the Committee Administrator so that the relevant Chair can inform those present at the start of the meeting.

We would ask that, as far as possible, members of the public aren't filmed unless they are playing an active role such as speaking within a meeting and there may be occasions when speaking members of the public request not to be filmed.

The Council will be undertaking audio recording of some of its meetings in County Hall as part of its investigation into a business case for the recording and potential webcasting of meetings in the future.

A copy of the Council's Recording of Meetings Protocol should be on display at the meeting for inspection, alternatively contact the Committee Administrator for the meeting in advance.

## JOINT SCRUTINY PANEL OF SOMERSET WASTE BOARD

Minutes of a Meeting of the Joint Scrutiny Panel of Somerset Waste Board held in the Monmouth House, Blackbrook Park Avenue, Taunton TA1 2PX, on Thursday 6 December 2018 at 10.00 am

**Present:** Cllr Aldridge, Cllr P Bradshaw, Cllr M Lewis, Cllr L Leyshon, Cllr D Loveridge, Cllr Mansell, Cllr Parbrook and Cllr L Perry

**Other Members present:**

**Apologies for absence:** Cllr N Cottle, Cllr C Goodall, Cllr Gunner and Cllr M Wale

28 **Declarations of Interest - Agenda Item 2**

Cllr Loveridge declared a pecuniary interest as a Director of Homes in Sedgemoor.

29 **Minutes from the previous meeting held on 23 July 2018 - Agenda Item 3**

The minutes of the meeting on 23 July 2018 were accepted as being accurate by the panel and signed by the Chair.

30 **Public Question Time - Agenda Item 4**

There were no public questions.

31 **SWP Business Plan 2019-24 - Agenda Item 5**

The Panel considered a report which outlined the Somerset Waste Board's requirement to annually approve a rolling five-year business plan covering 2019-2024.

The vision for the next 5 years is to focus on 3 areas: -

- Delivering excellent services
- Changing behaviours
- Building our capability

The Somerset Waste Board is required to annually approve a rolling five-year business plan and the Partnership is seeking approval and feedback from all partner authorities before final approval by the Board on 14 December 2018.

The Panel discussed the plan in depth, making the following suggestions: -

- To add clear and simple guidance on what and where you can recycle to the website. There is still confusion as to which plastics can be recycled and where.
- To also put a sticker on the outside of bins detailing this – tick for yes and cross for no.
- To develop teaching resources on the website to encourage the education of waste matters. The Panel were informed that the re-introduced education programme with schools has been started. Education is beyond the statutory duties of the Partnership so funding for this can be difficult. The panel requested an update at a future meeting about how the website could support this.

- To include reference to plastic pledge card.
- To increase the number of Re-Use Shops at recycling centres.
- To change the Quality section of Our values on p17 of the report to read as follows- “and making the best use of the waste we collect” to be changed to be made stronger with three words to – “and making the best use of waste and environmental benefit from the waste we collect”.

The Panel expressed concerns about opening hours of some recycling centres and site management activities taking place during open hours causing more delays and queues.

A member of the Panel asked about the planned review of van/trailer permit scheme. A response will be give outside of meeting in relation to double-axle charges will be made.

A panel member asked what happens to human hair when you must have a licence for it to be collected? A Response will be provided outside of the meeting.

The panel asked for an update on the structural review of the partnership which is currently under way. There have been considerable changes since services were initially procured. Services need to keep pace with technological advances and use this to improve service delivery. New IT has implications for training and management of technology, so the service is being reviewed to ensure that it is fit for the future. The panel asked if this will this be approved by the Board and reviewed by Scrutiny before going live. It was clarified that this re-structure has already been approved by the board. The panel requested a that a copy of this paper be circulated to the Scrutiny Panel.

A Member commented that homes with multiple occupancy have numerous bins that should be a planning issue and not a regulation issue. The panel agreed supporting the lobby of government to make waste services a material planning consideration.

A member of the panel asked if the drivers are adequately trained after seeing someone throw a plastic case into the back of the lorry. It was clarified that they are trained, but acknowledged that mistakes are made, or the driver could have been an agency worker.

It was clarified that the income from green waste subscriptions stays in the relevant district and does not come to the Partnership. The costs of the service are calculated for each district and re-charged depending on the number of subscribers.

Following a vote, the Panel approved the SWP Business Plan with comments and expressed appreciation for its comprehensive detail.

On the 2 November 2018 the Somerset Waste Board agreed to extend the Core Services Contract held with Viridor Ltd, for up to an additional 9 years (to 31<sup>st</sup> March 2031 from its current end date in March 2022).

A panel member questioned whether better savings have been achieved if the contract had gone out to tender rather than extending contracting. It was clarified that benchmarking will have taken place to inform this decision and that projections were that greater benefit would be achieved through an extension rather than taking the risk of re-tendering. Risk appetite of bidders has changed substantially.

Panel Members questioned what legal advice the Board took before making this decision. The Panel requested reassurance that appropriate legal advice was given to the Board before they took this decision.

The Panel highlighted the need for proposals to come before scrutiny before taken for decision to the Board.

It is believed that all the initial project objectives have been either met or exceeded;

- best value (compared to Somerset's peer authority group in terms of service provision and where possible comparable costs), - although cost comparable data is not readily available it is believed the Viridor offer achieves this objective
- capable of delivering Somerset County Council's savings requirements (both now and any reasonably foreseeable potential future requirements),
- in line with SWP's vision, the implementation of Recycle More and doesn't shunt costs to other SWP partners,
- expected to meet the forecast recycling site need of Somerset's residents and better aligning the network hours to the way the public wish to use the sites,
- not likely to suffer a successful legal challenge,
- delivering an appropriate level of social value.

**That the Joint Waste Scrutiny Panel noted:**

- 1. the extension of the Core Services Contract with Viridor Ltd to March 2031.**
- 2. the modification of the recycling site opening hours in line with Appendix 1, with effect from 1<sup>st</sup> April 2019.**
- 3. the use of the savings identified from the modification of the closed landfill management criteria to safeguard the continuance of the Community Sector Integration Plan for the extended contract term.**
- 4. the monitoring of future use of the Crewkerne & Dulverton Community Recycling Sites during the period April to September 2019 with a view of potentially removing the entrance fee charges from October 2019 to offset the significantly reduced operational hours at these sites.**

This report summarises progress in procuring a new collection contractor (and hence delivery of Recycle More).

It was highlighted that this is a current procurement with some detail remaining under confidentiality. The Panel agreed not to move into confidential session and not to discuss the names or number of bidders.

A new Service Task and Finish Group was set up to finalise a dry recyclate risk share mechanism consistent with a 50/50 risk sharing principle. The next steps were highlighted in a flow chart and the panel were informed of the tender deadline dates.

The Joint Waste Scrutiny Panel noted the progress made in procuring a new collection contract.

**34 Date and Chair for next meeting - Agenda Item 8**

The Panel agreed to circulate a date via email with an aim to take part before the March Board meeting.

Cllr Aldridge made a proposal that Cllr Lewis be elected as the on-going Chair of the Panel. This was seconded by Cllr Loveridge and carried unanimously following a vote.

**35 Any other urgent items of business - Agenda Item 9**

It was noted that Cllr Perry has difficulty in accessing the agenda electronically and it was agreed to email the link to this to Steve Taylor at Sedgemoor District Council for future meetings.

**(The meeting ended at 12.00 pm)**

**CHAIRMAN**