

SOMERSET WASTE BOARD

Minutes of a Meeting of the Somerset Waste Board held in the Luttrell Room - County Hall, Taunton, on Friday 29 September 2017 at 10.00 am

Present: Cllr C Aparicio Paul, Cllr P Berry, Cllr M Dewdney, Cllr D Hall, Cllr D Hill, Cllr B Maitland-Walker, Cllr J Roundell Greene, Cllr G Slocombe, Cllr N Taylor, Cllr N Woollcombe-Adams(Vice-Chair) and Cllr Yeomans (Chair)

Other Members present: Cllr M Lewis, Cllr T Munt

Apologies for absence: Cllr S Ross

17 Declarations of Interest - Agenda Item 2

Cllr C Aparicio Paul	Member of South Somerset District Council
Cllr D Hill	Member of Cheddar Parish Council
Cllr B Maitland-Walker	Member of Carhampton Parish Council
Cllr N Taylor	Member of Somerset County Council
	Member of Cheddar Parish Council
Cllr D Yeomans	Member of Curry Rivel Parish Council

18 Minutes from the meeting held on 30 June 2017 - Agenda Item 3

The record of the meeting of the Somerset Waste Board held on 30 June 2017 was taken as read and signed as correct.

19 Public Question Time - Agenda Item 4

There were no public questions.

20 Introduction from the new Managing Director - Agenda Item 5

The Board welcomed Mickey Green to his new role. Mickey Green, the new Managing Director for the Somerset Waste Partnership, made a presentation to the Board introducing himself and the key priorities for the next few years.

The Board noted the new Managing Director's presentation.

21 Finance Performance Update Q1 2017/18 and Draft Budget 2018/19 - Agenda Item 6

The Chairman invited Mr Gerrish to introduce the Finance update for Quarter 1 2017/18 and the Draft Budget 2018/19. Mr Gerrish highlighted that in accordance with previous internal audit recommendations, officers provide in-year financial information for the Board alongside the regular Performance Monitoring reports as they are complementary reports. He also advised that the report initiated the formal commencement of the budget setting process that will ultimately lead to the Annual Budget for 2018/2019 being approved in February 2018.

The Annual Budget is entirely linked to the Annual Business Plan, and sets out the financial resources required to deliver the Plan and the waste collection and disposal services that have been delegated to the Somerset Waste Board. Financial monitoring helps demonstrate how the Partnership is managing its resources as it delivers the Annual Business Plan.

In terms of 2017/18, Mr Gerrish drew attention to the latest position in terms of the budget spend and in particular the summary table in section 2 of the report. Overall, the end of July position shows that the Somerset Waste Partnership budget is forecast to be underspent by £683,000 (1.6% of the original budget). The projections regarding recycling credits in paragraph 2.1 were highlighted.

The Board were advised that when considering the draft Annual Budget for 2018/2019, current trends in demographic growth, service uptake and waste tonnages arising in 2017/2018 will be a key contributory factor in shaping the forward budget. Inflation risks were also highlighted as given the current general upturn in inflation, particularly around fuel, this could be more significant a factor than in previous years.

During discussion Mr Gerrish was asked to provide a written update for Board Members regarding the VAT reclaim issue that was previously outlined to the Board, along with what the potential implications for Somerset Waste Partnership and the partner councils.

Following consideration of the officer's report, Somerset Waste Board RESOLVED to:

- 1. note the summary financial performance for 2017/2018 year to date and the potential outturn position for each partner authority.**
- 2. note the current budget factors that will have implications for setting the 2018/2019 Annual Budget.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASONS FOR DECISION: As set out in the officer report.

22 Performance Monitoring Report Q1 2017/18 - Agenda Item 7

David Oaten, Contracts Manager, introduced the key points from the report. The report summarised key performance indicators for Quarter 1 from April to June 2017 and compared these to the same period in 2016-17.

Reference was made to the key findings set out in section 3 and the supporting appendices and the fly-tipping levels across the county which had shown an overall reduction. Mr Oaten reported back on the request from June's Board meeting for further information regarding asbestos disposal and referred to paragraph 3.4 of the report.

The Board RESOLVED to note the tonnage and performance results within appendices A and B.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASONS FOR DECISION: As set out in the officer report.

23 **SWP Risk Update** - Agenda Item 8

Mark Blaker, the Business and Governance Manager, introduced the report which updated members of any changes to or developments with the annual SWP Risk Register.

Reference was made to section 2 of the report and the new risks that had been identified regarding landfill fires and future driver shortages as a result of Brexit and the Hinkley C development. The Board were advised of the mitigations that were being progressed.

During discussion the following points were made:

- Further promotion of the risks of households putting flammable items in their residual waste
- Reference made to a further fire at the Dimmer landfill site over the bank holiday which was the seventh since March. Request for assurance that Viridor are making every effort to mitigate these risks. SWP officers already working with Viridor on fire prevention plans.
- The need to work with the collection contractor to have tracker devices installed so that assurance can be provided that the correct routes being followed and missed collections avoided. It was clarified that the contractor already uses some portable in-cab technology but this is not for all vehicles.
- Clarity provided regarding clinical waste disposal and that this had grown significantly over the last ten years.

The Board RESOLVED to note the changes in the SWP risk profile as described.

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASONS FOR DECISION: As set out in the officer report.

24 **Proposed Fees and Charges 2018/19** - Agenda Item 9

The Chairman invited Colin Mercer, Contract Manager, to introduce the report. He highlighted the proposed fees and charges changes for 2018/19 set out in the report. Mr Mercer pointed out that the proposals continue to try and align more of the cost of the service to the service user and reduce the burden on the general Council Tax payer. It was clarified that the recommendation in the report should refer to table 1.

During discussion the following points were raised:

- Cllr Slocombe asked that the garden waste collection charges should be frozen and not increased. It was clarified that the increase was required to meet inflationary pressures.

The Chairman moved the recommendations and the Board agreed for a recorded vote on the proposals. The Board voted unanimously (10 votes in

favour of the recommendations) in favour of the proposals and there was one vote against the recommendations.

The Board RESOLVED to agree to recommend the proposed charges as set out in Table 1 for introduction in April 2018

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASONS FOR DECISION: As set out in the officer report.

25 **Outline Business Plan 2018-19 - Agenda Item 10**

The Chairman invited Bruce Carpenter, the interim managing director, and Mark Blaker to introduce the paper and outline the key points to the Board. Mr Carpenter reminded members that the Board is required to approve a draft business plan annually for consultation with, and approval by, the partners. Producing an outline at this stage helps the Board to identify key areas for inclusion and to direct officers to prepare more information on any area it highlights. This also gives the Board an opportunity to identify any potential service changes so that these can be further assessed for potential inclusion in the Draft Plan.

Key priorities for resources included:

- Monitoring implementation of the infrastructure required to deliver the new residual waste treatment.
- Developing, refining and planning proposals to deliver Recycle More
- Bolster actions and ambitions relating to waste minimisation and prevention activities. Proposal to include, in 2018 – 2019, a trial reintroduction of a schools education service fully funded in the first year through the Viridor Community Sector Integration Plan.

In addition the Board were advised of key legislative challenges for the partnership:

- The need to consider the impact of changes to the Local Government Act 2003 which have removed the ability to charge for entry at Crewkerne and Dulverton Community Recycling Sites beyond 2020.
- DCLG have indicated their intention to review Local Authority powers to charge for disposal of certain items identified by SWP as non-household waste, such as rubble, asbestos and plasterboard.

Mr Blaker highlighted the proposed changes to the Business Plan timetable on a one off basis, with the Draft Business Plan proposed for the 3 November Board meeting for approval for consultation, followed by partner authority consultation and final approval of the plan at the December Board meeting. This change was in order to align with consideration of changes to the Recycle More roll out programme.

The following points were raised during discussion:

- Discussions being held with Viridor about how the community recycling centre costs can be addressed from 2020.
- Opportunity for the Waste Partnership to promote recycling as part of the information that is issued with the council tax invoices to homes
- The options investigated and previous experience leading to the current arrangements for managing flytipping outside HWRCs when they are closed
- Need some simple key messages for the school's education service
- Clarity provided on the information provided on the website and at HWRCs for small businesses trying to dispose of trade waste

Following consideration of the Officer's report and supporting information, **the Board RESOLVED to:**

- i) **Approve the broad approach and proposed priority areas for inclusion in the Business Plan 2018-23 as set out in Sections 2 and 3 of the report.**
- ii) **Approve the revised timetable for Business Plan approval for this year: -**
 - **November 3rd 2017- Draft Plan to be submitted for Board approval;**
 - **November/December - Partner authority consultation and approval**
 - **December 15th 2017 - final Board approval.**

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASONS FOR DECISION: As set out in the officer report.

26 **Contractual Negotiations for Recycle More - Agenda Item 11**

Mr Carpenter introduced the public report and highlighted that further details were contained in the supporting confidential report which considered options for delivering the Recycle More scheme to ensure they meet the objectives of Somerset Waste Board (SWB) and this work is on-going.

Mr Carpenter referred to the proposed formation of a New Service Task and Finish Group (NSTFG) with Board Member representatives from each partner authority. The group would provide close member oversight into the project and to provide advice and guidance where required. The Board supported the proposed formation of the group.

The Board then agreed to pass a resolution under Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information (England) Regulations 2012 to exclude the press and public 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, within the meaning of Schedule 12A to the Local Government Act 1972. The exempt information likely to be disclosed is described as:

- Information relating to the financial or business of any particular person (including the authority holding the information).

The meeting then moved into private session. Annex A sets out a summary record of the debate during the private session.

Following the discussion in private session, the Board returned to public session.

Following discussion, Cllr Woolcombe-Adams proposed that the proposed membership of the New Service Task and Finish Group be amended to also include the Chairman of the Board. This proposed amendment was seconded by Cllr Aparicio Paul. The Board voted by majority to agree that amendment to recommendation 1 of the public report.

The Chairman then moved the recommendations and the Board :

1. Agreed to:

i) form a (non-decision making) “New Service Task and Finish Group” (see Appendix 1 for the terms of reference) consisting of one SWB member representing each partner authority and the Chairman of the Board; and

ii) appoint the following members of the Board to the Group:

Cllr D Yeomans (Chairman of the Board)

Cllr N Woolcombe-Adams (Mendip District Council)

Cllr C Aparicio Paul (Somerset County Council)

Cllr J Roundell-Greene (South Somerset District Council)

Cllr D Hill (Sedgemoor District Council)

Cllr P Berry (Taunton Deane Borough Council)

Cllr M Dewdney (West Somerset Council)

iii) amend the terms of reference in Appendix 1 to reflect recommendation (i) above

2. Agreed to receive written or verbal updates from officers and/or the Task and Finish Group at meetings throughout the process. Some of these may be commercially confidential.

3. Noted that it may also be necessary to convene extra Board and/or Task and Finish Group meetings where decisions are required in order to avoid delays to the process. Some of these may be confidential sessions.

4. Agreed the case for applying the exempt information provision as set out in the Local Government Act 1972, Schedule 12A and therefore to treat the attached confidential report and its appendices in confidence, as they contain commercially sensitive information, and as the case for the public interest in maintaining the exemption outweighs the public interest in disclosing that information.

5. Agreed to exclude the press and public from the meeting for the consideration of the attached confidential report and its appendices where there is any discussion at the meeting regarding exempt or confidential information.

6. Agreed the recommendations contained within the confidential report.

7. Agreed to convene a special meeting of the Board on Friday 3 November 2017

8. Authorised the Managing Director to undertake any appropriate consultation with partner authorities and to issue them with a briefing note for partners

ALTERNATIVE OPTIONS CONSIDERED: As set out in the officer report.

REASON FOR DECISION: As set out in the officer report.

27 Somerset Waste Board Forward Plan - Agenda Item 12

The Board were updated by the Governance Manager on the latest position of the forward plan and the planned business for the next meeting on 3 November 2017.

28 Information Sheets Issued Since the Last Meeting - Agenda Item 13

There were none.

29 Any other urgent items of business - Agenda Item 14

The Board expressed their thanks to Bruce Carpenter for his work as the Interim Managing Director.

(The meeting ended at 12.25 pm)

CHAIRMAN