



Agenda

East Kent (Joint Scrutiny) Committee

**Monday
19 October 2009
at 14.00pm**

Jury Room at Sandwich Town Council

Membership of the East Kent (Joint Scrutiny) Committee

| <u>East Kent (Joint Scrutiny) Committee:</u> | |
|--|--------------------------------------|
| Councillor G Cowan (Chairman) | Councillor A Perkins |
| Councillor M Vye (Vice-Chairman) | Councillor T Prater |
| Councillor A Clifton-Holt | Councillor J Roberts |
| Councillor M D Conolly | Councillor B Rogers |
| Councillor C Goddard | Councillor J Samper |
| Councillor M Harrison | Councillor I Thomas |
| Councillor D R Lloyd-Jones | <i>Vacancy (Kent County Council)</i> |
| Councillor R F Manning | |

AGENDA

EAST KENT (JOINT SCRUTINY) COMMITTEE

Monday, 19th October, 2009, at 2.00 pm

Ask for: Rebecca Brough

White Cliffs Business Park Dover Kent CT16 3PJ

Telephone (01304) 872304
rebecca.brough@dover.gov.uk

1. APOLOGIES
2. APPOINTMENT OF SUBSTITUTE MEMBERS

To note appointment of Substitute Members in accordance with the agreed procedure.

3. DECLARATIONS OF INTEREST

Members are required to disclose the existence and nature of a personal interest at the commencement of the item of business to which the interest relates or when the interest becomes apparent. An explanation in general terms of the interest should also be given to the meeting. If the interest is also a prejudicial interest, the Member should then withdraw from the room or chamber.

NOTE: (1) By virtue of Rule 11 of the Members' Code of Conduct, a member must, if he/she is involved in the consideration of a matter at a meeting of an overview and scrutiny committee or sub committee, regard him/herself as having a personal and prejudicial interest if that consideration relates to a decision made, or action taken, by another committee or sub committee of which he/she may also be a member.

(2) This rule will not apply if the member attends the Scrutiny Committee/Sub Committee for the purpose of answering questions or otherwise giving evidence relating to that decision or action.

4. MINUTES (Pages 1 - 4)

To confirm the attached Minutes of the meeting of the Committee held on 11 May 2009.

5. OPERATING ARRANGEMENTS (Pages 5 - 14)

The Operating Arrangements for the East Kent (Joint Scrutiny) Committee are attached for information

6. ISSUES REFERRED TO THE COMMITTEE BY THE EAST KENT (JOINT ARRANGEMENTS) COMMITTEE

None

7. ITEMS PLACE ON THE AGENDA BY A MEMBER OF THE COMMITTEE (Pages 15 - 36)

In accordance with Paragraph 7.1 of the Operating Arrangements any Member of the Committee may require that an item be placed for consideration on the agenda of the next available meeting.

8. SHARED WASTE SERVICE

To receive a presentation from Mr Chris Stannard of the East Kent Waste Project and Mr Mark Seed of Thanet District Council on proposals for a shared waste service.

The Minutes of the Waste Working Group of 9 September 2008, 3 December 2008, 15 January 2009 and 9 February 2009 are attached for information.

Access to Meetings and Information

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If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Rebecca Brough, Democratic Support Officer, telephone: (01304) 872304 or email: rebecca.brough@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

**TERMS OF REFERENCE of the EAST KENT (JOINT SCRUTINY)
COMMITTEE**

1. Monitor review and scrutinise the actions and decisions of the East Kent (Joint Arrangements) Committee.
2. Make recommendations for re-consideration of any decisions made or actions taken and to make recommendations for improvement and/or changes in responsibilities and functions of the East Kent (Joint Arrangements) Committee.
3. Prepare reports and recommendations to the parties on the performance and delivery of the shared services provided by the East Kent (Joint Arrangements) Committee.
4. Propose an annual budget for the East Kent (Joint Scrutiny) Committee in accordance with the requirements of the parties.
5. Prepare an annual report to the parties on the performance of these arrangements.
6. Facilitate the exchange of information about the work of the East Kent (Joint Scrutiny) Committee and to share information and outcomes from reviews.

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Agenda Item No 4

Date of publication: 18 May 2009

SHEPWAY DISTRICT COUNCIL

EAST KENT (JOINT SCRUTINY) COMMITTEE

Minutes of a meeting held at 9:30am on Monday 11 May 2009 in the Council Chamber, Civic Centre, Dover

Present:

| | | | |
|------------|---|--------------|-----------------|
| Councillor | T | Birkett | (Kent CC) |
| Councillor | M | Conolly | (Dover DC) |
| Councillor | M | Fisher | (Canterbury CC) |
| Councillor | D | Lloyds-Jones | (Dover DC) |
| Councillor | M | Harrison | (Thanet DC) |
| Councillor | K | Mills | (Dover DC) |
| Councillor | T | Prater | (Shepway DC) |
| Councillor | I | Thomas | (Canterbury CC) |
| Councillor | M | Vye | (Kent CC) |

Officers:

| | |
|--------------------|---------------|
| Alistair Stewart | Shepway DC |
| Wendy Head | Shepway D |
| Jeremy Chambers | Shepway DC |
| Mike Davis | Dover DC |
| Jim McDonald | Canterbury CC |
| Sarah Carroll | Thanet DC |
| Shirlee Chatterton | Shepway DC |
| Lee Jones | Shepway DC |
| Rebecca Brough | Dover DC |

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Clifton-Holt (SDC) and from Colin Carmichael, Chief Executive (CCC) and Richard Samuel, Chief Executive (TDC).

2. DECLARATIONS OF ANY INTERESTS

There were no declarations of interest.

3. SUBSTITUTE MEMBERS

There were no substitute members.

4. SHARED HR/PAYROLL PROJECT

At the meeting on the 29 April 2009 the East Kent (Joint Scrutiny) Committee resolved:

That the East Kent Joint Scrutiny Committee recommends to each authority that the proposal is recommended for approval subject to the East Kent Joint Scrutiny Committee agreeing the Service Level Agreements. If approval is given, the proposal will be moved forward. If approval is not given, the proposal will be referred back to full Councils.

Also at that meeting the members requested that a special meeting of EKJSC be held within 14 days to discuss the Service Level Agreements and that all Heads of Paid Service or a suitable deputy be requested to attend the meeting.

Below is an outline of the discussions between the Committee and officers regarding the Human Resources Service Level Agreement and the Payroll Service level Agreement.

The Corporate Director presented the Service Level Agreements. She said that they were not final but were a work in progress.

Members raised concerns that the Payroll Service Level Agreement performance measures were low. The Corporate Director said these were these were a tracking change error and that the correct figures were:

| | |
|--------------------------------|----------------|
| Resolve calls at first contact | 80% |
| Customer satisfaction | Good or Better |

In response to a question the Corporate Director said officers would be paid by BACS transfer in the same way that Kent County Council pay their staff. She said details of the payments to officers were loaded on to the payroll system 3 working days prior to the appointed pay date and that these could be amended prior to the transfer of funds if required and payment could then be completed by CHAPS.

Mike Davis confirmed that the four local authorities would transfer a lump sum to Kent County Council no later than 3 working days prior to the pay date, then payments to officers would be made on the designated date.

In answer to a question Jim McDonald said payroll reports would be able to be run as they are now and would allow for reconciliation to the GL for local authorities in the partnership.

Some members had concerns over checking details of officers who were paid more than £4000 net per month. Alistair Stewart said that payroll systems were audited annually both internally and externally. He added

that any amendments during the year and any large payments were reviewed by the auditors.

The Committee and officers discussed ways the HR/Payroll Shared Service would be audited.

When asked about the audit agreement and who would audit the payroll service, Jim McDonald said that audits would be conducted by the East Kent Audit and Kent County Council Audit but further detail on this was still to be finalised.

In response to concern from Members regarding the service level agreement Alistair Stewart suggested that a presentation could be given to the East Kent Joint Scrutiny Committee. He said this would help the Committee understand the detail of the shared service project and would give the Committee the opportunity to influence how it works and how it would continue to work in the future.

Proposed by Councillor Birkett
Seconded by Councillor Lloyd-Jones and

RESOLVED:

- 1. To accept the Human Resources/Payroll Shared Services Service Level Agreements as working documents noting that appropriate officers will continue to refine them.**
- 2. That at a future meeting of the Committee a presentation be given on the Human Resources/Payroll Shared Services project prior to its formal implementation in October. This to be undertaken by officers directly involved in the project.**
- 3. To review the Human Resources/Payroll Shared Services after it has been in operation for at least 6 months by way of a further presentation from officers directly involved in the project and to include some users of the service.**
- 4. To recommend to each authority that the proposal is recommended for approval.**

(Voting: For 9; Against 0; Abstentions 0)

There being no other business the meeting closed at 10.40am

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Agenda Item No 5

East Kent (Joint Scrutiny) Committee – Operating Arrangements

Canterbury City Council

Dover District Council

[Kent County Council]

Shepway District Council

Thanet District Council

together referred to as 'the Parties'

1. Key Principles for the Operation of the East Kent (Joint Scrutiny) Committee (EKJSC)

- 1.1 The members of the EKJSC will work together to maximise the exchange of information and views, to minimize bureaucracy and make best use of the time of members and officers of local and other authorities.
- 1.2 The guiding principle for the work of EKJSC is that it should be consensual and positive. The emphasis of the work should be on making proactive contribution to the development of policy and the discharge of EKJAC's functions. This is best achieved by an inclusive process covering members, the parties' partners, service users and officers.
- 1.3 The process of joint scrutiny will be open and transparent, designed to engage the parties, their residents and other stakeholders.

2. Objectives

- 2.1 The EKJSC is established under section 101 and 102 Local Government Act 1972 and Section 2 Local Government Act 2000 with the objective of acting as the single Scrutiny Committee for the monitoring, review and scrutiny of the East Kent (Joint Arrangements) Committee (EKJAC).

3. Terms of Reference

- 3.1 The terms of reference of the EKJSC are as set out in Schedule 1.
- 3.2 These arrangements will be reviewed regularly. No proposed amendments to these arrangements will take effect until they have been agreed and endorsed by each of the parties.

4. Call-In

- 4.1 The arrangements for the operation of call-in by the EKJSC shall be as set out in Schedule 2. The EKJSC shall have power to call-in any decision made by EKJAC, a sub-committee of EKJAC, or any member or officer with delegated authority from

EKJAC. The EKJSC will not have the power to call-in any decision of the Executive of any of the Parties.

- 4.2 Where there is a call-in by a statutory scrutiny committee of any of the Parties of any decision of the EKJAC, each of the other Parties will be notified forthwith. The call-in shall be heard by the call-in Party's statutory scrutiny committee in accordance with the call-in Party's own arrangements. Where there is more than one call-in on the same subject the parties shall endeavour to ensure that they are heard together at the same time and place.
- 4.3 The call-in procedure set out in clauses 4.1 and 4.2 above shall not apply where the decision being taken by or on behalf EKJAC is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the interests of any of the Parties or the public interest. The record of the decision and notice by which it is made public shall state whether, in the opinion of the decision maker, the decision is an urgent one and therefore not subject to call-in. The Chairman and the members of each of the Parties affected by the decision must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Chairman, the consent of the Vice-Chairman shall be required. In the absence of both the Chairman and Vice-Chairman, the consent of the Head of Paid Service of that Party (or his/her nominee) shall be required. Decisions taken as a matter of urgency must be reported to the next available full Council meetings of each of the Parties, together with the reasons for urgency.

5. Membership and Terms of Office

- 5.1 The EKJSC will comprise three non-executive councillors from each of the Parties.
- 5.2 Each appointing Party shall appoint its three members on the basis of its overall political proportionality.
- 5.3 Members of the EKJSC shall be appointed by the Parties at their annual meetings of their respective Council and shall hold office until:
- (a) the next annual meeting of the Party that appointed them, save that the Party that appointed them may remove them from office, either individually or collectively, at an earlier date in the event of a change in political control of that Party; or
 - (b) they resign from office; or
 - (c) they are suspended from being councillors under Part III of the Local Government Act 2000 (although they may resume office at the end of the period of suspension)
- 5.4 Each Party may appoint substitutes to represent their authority in the absence of the appointed councillors. Nominated substitutes will be non-executive councillors and will be able to attend any meeting of EKJSC in order to familiarise themselves with the issues involved, but will not be able to participate in debate or vote unless they are formally acting as a substitute member.
- 5.5 Non-voting members may be co-opted onto the EKJSC from any or all of the Parties or from other public sector partner organisations as the EKJSC may unanimously decide. Co-optees may participate in the debate but may not vote.

6. Frequency of Meetings

- 6.1 The EKJSC will meet quarterly, but may change the frequency of meetings and call additional meetings as required.

7. Agenda Setting and Access to Meetings and Information

- 7.1 The agenda for the EKJSC shall be agreed by the chairman following a briefing by relevant officers. Any member of the EKJSC may require that an item be placed for consideration on the agenda of the next available meeting.
- 7.2 There will be a standing item on the agenda of each meeting of the EKJSC for matters referred by the EKJAC.
- 7.3 Notice of meetings and access to agendas and reports will be in accordance with sections 100A-K and Schedule 12A of the Local Government Act 1972.

8. Sub-Committees

- 8.1 The EKJSC may establish sub-committees as it may determine by unanimous agreement of the EKJSC.
- 8.2 When establishing a sub-committee the EKJSC will agree the:
- (a) terms of reference for the sub-committee
 - (b) size and membership of the sub-committee including co-optees
 - (c) period for which the sub-committee will remain constituted
 - (d) chairman of the sub-committee or will delegate this decision to the sub-committee
 - (e) mechanism for hosting the sub-committee and sharing the cost amongst the relevant Parties, as appropriate

9. Delegation to Sub-Committees

- 9.1 The EKJSC may arrange for the discharge of any of its functions by a sub-committee of the EKJSC.

10. Meetings and Procedure

- 10.1 The Chairman and Vice Chairman will be appointed by the EKJSC on the basis of the position being rotated annually, as follows, and repeated each five years:

| | Chairman and Scrutiny Host Authority | Vice-Chairman |
|---------|---|----------------------|
| 2008-9 | Shepway | Dover |
| 2009-10 | Dover | Kent |
| 2010-11 | Kent | Canterbury |
| 2011-12 | Canterbury | Thanet |
| 2012-13 | Thanet | Shepway |

- 10.2 The Chairman and Vice Chairman of EKJSC shall be drawn from any political group not forming part of the administration of the appointing Council.

- 10.3 In the absence of the chairman and the vice chairman at a meeting, the meeting will elect a chairman for that meeting.
- 10.4 The quorum of the EKJSC will be five with at least one member present from four of the five Parties.
- 10.5 The EKJSC may approve rules for meetings and procedure from time to time.
- 10.6 The EKJSC may ask organisations, individuals or groups to assist it from time to time and may ask independent professionals to advise it during the course of reviews. Such individuals or groups will not be able to vote.
- 10.7 The EKJSC may request the attendance of officers employed by the participating authorities to answer questions and give evidence to the committee. Such requests must be made via the Chief Executive of the relevant participating authority.
- 10.8 The EKJSC may invite any other person to attend its meetings to answer questions or give evidence; however, attendance by such persons cannot be mandatory.

11. Decision Making

- 11.1 Decisions of the EKJSC will normally be made by consensus. A vote shall be taken where the chairman or any Voting Member requests that a vote be taken. The vote will be by way of a show of hands. A simple majority shall be required.
- 11.2 Where a minimum number of two members express an alternative to the majority view, they will be permitted to produce a minority report.

12. Scrutiny Host Authorities and Allocation of Roles

- 12.1 In order to achieve the objectives of the EKJSC, the Parties will appoint a Scrutiny Host Authority which is for the time being the Authority shown as the Chairman and Scrutiny Host Authority in the table at clause 10.1.
- 12.2 Staff from the Scrutiny Host Authority who are commissioned to provide services, advice and support to the EKJSC will continue to be employees of the relevant Scrutiny Host Authority.
- 12.3 Responsibility for the following support services to the EKJSC will be allocated to the Scrutiny Host Authority:
 - (a) the provision of legal advice and services
 - (b) the provision of financial advice and services
 - (c) secretariat support and services
 - (d) communications support and services
 - (e) data protection, freedom of information, information sharing and confidentiality issues in accordance with clause 17
 - (f) research
- 12.4 The cost of the services and advice set out in this section will be paid for by the Scrutiny Host Authority.

13. Amendments to these Arrangements

- 13.1 These arrangements may be amended by the unanimous agreement of the EKJSC following a recommendation approved by the full Council of each of the Parties.

14. New Membership and Cessation of Membership

- 14.1 New Parties may join the EKJSC provided that they are also a party to EKJAC and the full council of the joining Party(ies) and of all the Parties to these arrangements for the time being so resolve.
- 14.2 A Party ceases to be a member of these arrangements when it ceases to be a party to EKJAC.
- 14.3 Termination of these arrangements may occur by agreement of all the Parties.

15. Claims and Liabilities

- 15.1 The purpose of these arrangements and any actions taken under them is to assist all of the Parties. The Parties therefore have agreed that:
- (a) where one of the Parties nominated by the EKJSC to act as Scrutiny Host Authority undertakes actions or incurs liabilities in that respect then it shall be entitled to be indemnified by the other Parties for the appropriate proportion of all its costs and liabilities incurred in good faith
 - (b) a Party carrying out actions in good faith on behalf of the EKJSC shall not (other than in the case of fraud and/or clear bad faith) be liable to claims from the other Parties (and there shall be no right of set-off against any claim for indemnity under (b) and/or (c) above) on the grounds that the actions that were taken were not the proper actions carried out properly or that the costs and liabilities incurred were not reasonably and properly incurred (as long as they were in fact incurred)
- 15.2 Each of the Parties shall at all times take all reasonable steps within its power to minimise and mitigate any loss for which it is seeking reimbursement from any of the other Parties.

16. Administration

- 16.1 The decisions and recommendations of the EKJSC will be communicated to EKJAC and the participating councils as soon as possible after the resolution of the committee.
- 16.2 Where working on forthcoming decisions of the EKJAC, the EKJSC will endeavour to carry out its functions as part of the EKJAC's process in order to ensure that its findings and recommendations can influence the final decision.
- 16.3 When considering items before it, the EKJSC will take account of whether an issue could more appropriately be dealt with by one of the Parties or elsewhere.

17. Data Protection, Freedom of Information, Information Sharing & Confidentiality

- 17.1 Subject to the specific requirements of this clause, each of the Parties shall comply with its legal requirements under data protection legislation, freedom of information and associated legislation, and the law relating to confidentiality.
- 17.2 A Party will be appointed as a Host Authority for the purposes of ensuring compliance with any legislative or legal requirements relating to these issues should they arise directly in relation to the EKJAC (as compared to information held by the Parties to these arrangements).
- 17.3 Each of the each Parties shall:
- (a) treat as confidential all information relating to:
 - (i) the business and operations of the other Parties and/or
 - (ii) the business or affairs of any legal or natural person in relation to which or to whom confidential information is held by that Party("Confidential Information") and
 - (b) not disclose the Confidential Information of any other of the Parties without the owner's prior written consent
- 17.4 Clause 17.3 shall not apply to the extent that:
- (a) such information was in the possession of the party making the disclosure, without obligation of confidentiality, prior to its disclosure or
 - (b) such information was obtained from a third party without obligation of confidentiality or
 - (c) such information was already in the public domain at the time of disclosure otherwise than through a breach of these arrangements or
 - (d) disclosure is required by law (including under Data Protection Legislation, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004) or disclosure is permitted by the Human Rights Act 1998
- 17.5 The Parties may only disclose Confidential Information of another of the Parties to staff who need to know by reason of their work. Each of the Parties shall ensure that such staff are aware of, and comply with, these confidentiality obligations and that such information is not used other than for the purposes of the EKJSC.
- 17.6 If any of the Parties receives a request for information under the Freedom of Information Act 2000 and/or the Environmental Information Regulations 2004 then the other Parties shall (at their own expense) assist and co-operate to enable the request to be dealt with.
- 17.7 If a request for information is received then the Party receiving it shall copy it to the other Parties and consider when making its decisions any views of the other Parties.
- 17.8 Notwithstanding the provisions of 17.6 and 17.7 it shall be the Party receiving the request that is responsible for determining at its absolute discretion how to reply to the request.

18. Exercise of Statutory Authority

- 18.1 Without prejudice to these arrangements, nothing in these arrangements shall be construed as a fetter or restriction on the exercise by any of the parties of their statutory functions.

Schedule 1

TERMS OF REFERENCE of the EAST KENT (JOINT SCRUTINY) COMMITTEE

1. Monitor review and scrutinise the actions and decision of the EKJAC.
2. Make recommendations for reconsideration of any decisions made or actions taken and to make recommendations for improvement and/or changes in responsibilities and functions of the EKJAC.
3. Prepare reports and recommendations to the parties on the performance and delivery of the shared services provided by the EKJAC.
4. Propose an annual budget for the EKJSC in accordance with the requirements of the parties.
5. Prepare an annual report to the parties on the performance of these arrangements.
6. Facilitate the exchange of information about the work of the EKJSC and to share information and outcomes from reviews.

Schedule 2

ARRANGEMENTS FOR THE OPERATION OF CALL-IN by the EKJSC

1. When a decision is made by EKJAC, a sub-committee of EKJAC or an individual member with delegated authority from EKJAC, or a key decision is made by an officer with delegated authority from EKJAC, the decision shall be published, including where possible by electronic means, and shall be available at the main offices of each of the Parties normally within two days of being made. The Chairman of the EKJSC (and all other members of each of the Parties) will be sent copies of the records of all such decisions within the same timescale, by the person responsible for publishing the decision.
2. That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented at 12.00 noon, on the fourth working day after the publication of the decision, unless it is called-in.
3. By 10.00 am on the fourth working day after publication of the decision, the proper officer of the Scrutiny Host Authority shall call-in a decision for scrutiny by the EKJSC if so requested by any member of the EKJSC, and shall then notify the decision maker of the call-in. A meeting of the EKJSC shall then be held within 15 working days of the decision to call-in. Reasons for calling-in a decision should be given and recorded in the agenda.
4. If, having considered the decision, the EKJSC is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or refer the matter to the full Council of all or any of the Parties. If referred to the decision maker they shall then reconsider within a further 10 working days, amending the decision or not, before adopting a final decision.
5. If, following an objection to the decision, the EKJSC does not meet in the period set out above, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the EKJSC meeting, or the expiry of that further 10 working day period, whichever is the earlier.
6. If the matter was referred to full Council of any of the Parties and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, it has no locus to make decisions in respect of an executive decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget. Unless that is the case, the Council will refer any decision to which it objects back to the decision maker, together with Council's views on the decision. That decision maker shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by EKJAC as a whole or a committee of it, a meeting will be convened to reconsider within 10 working days of the Council request. Where the decision was made by an individual, the individual will reconsider within 10 working days of the Council request.
7. If the Council of any of the Parties to whom the matter has been referred does not meet, or if it does but does not refer the decision back to the decision maker, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.

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Agenda Item No 7

EAST KENT JOINT SCRUTINY COMMITTEE**19 October 2009**

| | |
|----------------------------------|---|
| Subject: | East Kent Joint Waste Project |
| Director/Head of Service: | Mark Seed (on behalf of East Kent Waste Management Group) |
| Classification: | This report is open to the public. |
| Summary: | This report updates EKJSC on the progress made on the East Kent Joint Waste Project and seeks views on the current proposals to assist with the development of a decision report to EKJAC. |
| Next stage in process | To complete the draft of the report to EKJAC that will recommend that each of the 4 East Kent District Councils and Kent County Council formally consider and decide on the agreed financial, procurement and legal proposals. |

SUPPORTING INFORMATION

1. **Introduction**
 - 1.1 Implementation of the Kent Joint Municipal Waste Management Strategy (JMWMS) requires future waste management services to develop beyond those currently offered to householders. The costs of these services are expressed across the two tiers of local government and as a result, effective cost minimisation requires an aligned approach and co-ordinated decision-making.
 - 1.2 The East Kent Waste Management Group consists of officers from the four East Kent District Collection Authorities and Kent County Council as Disposal Authority. The group was charged by the Leaders and Chief Executives to develop a cost effective collection and processing proposal across the authorities to deliver the following key aims:
 - To minimise exposure to the escalating costs of waste disposal
 - To deliver cost efficiencies in collection systems,
 - To increase the rate of recycling
 - To develop a coordinated approach to managing waste across the two tiers of Local Government
 - 1.3 This report details the current position with regard to financial, procurement and legal issues within the joint waste project.
2. **Detail**
 - 2.1 **Finance**
 - 2.1 Detailed modelling of differing collection methodologies has been undertaken and compared with alternative views for each District. The overall comparison between

these two views is shown at Annex 1 to this report. Agreement has been reached between KCC and the four Districts as to the most effective collection methodology, (referred to as the Nominal Optimum Model or NOM). In essence this would be based upon:

- Split Bodied, fortnightly collection of kerbside recyclables,
- Co-mingled fortnightly collection of food and garden waste
- Fortnightly collection of residual waste (to alternate with recycling collections).

There may be some amendment to this collection methodology if, through the Competitive Dialogue Procurement process, tenderers propose variations on this methodology which generate further benefits. The Competitive Dialogue Process is outlined in paragraph 2.9 and Annex 3 below.

2.2 Work has also been undertaken on the likely avoided disposal costs and benefits of the implementation this system through financial modelling from 2013-20.

- Future costs of disposal are on average reduced by £2.9mn p.a. in this period,
- Overall recycling/composting performance in East Kent increases to 48%
- The cost of processing recyclate reduces and its value is enhanced by segregating paper plus card at the point of collection.

2.3 In order to ensure that District Councils are not financially disadvantaged as a result of adopting the NOM, Kent County Council have undertaken to provide additional revenue funding of £1.59mn p.a., to:

- Allow for the additional costs of introducing the new collection system
- Refund lost recycling income
- Refund lost garden waste income

This funding level is indicative and may also vary subject to any changes in collection methodology derived from the Competitive Dialogue Process and future review of the Council incomes in their baseline year.

2.4 KCC has also undertaken to finance containerisation costs of £3.35mn incurred by the districts to implement the changes in service.

2.5 The impact of the project would be to generate a net average avoided disposal benefit of £1.3mn per annum during 2013-2020 (transition years 2010-2013 excluded).

2.5 Agreement has been reached with Service Heads and Section 151 officers for collection savings arising from joint working to be included within the total project benefits for disaggregation (these savings exclude the benefit of moving to alternate weekly split bodied collections in Shepway and the change to alternate weekly collections of residual waste in Dover). The joint savings will also arise from the reduction in the number of collection crews across the East Kent area and the reduction in contractor's overhead and management costs. Details of the extent of the collection savings arising from joint working across the four districts will be defined by tenderers as part of the Competitive Dialogue Process. Collection savings generated in joint working partnerships elsewhere in the UK have typically been identified as between 5-10% of the contract value. With collection service gross costs exceeding £10m, collection savings of between £500k and £1m could be achieved.

Furthermore there is potential for some rationalisation of depot and transfer generating additional savings. Whilst a provisional estimate of an additional £500k has been made within the disaggregation modelling this will be discussed and detailed further as part of the Competitive Dialogue Process.

- 2.7 A summary of the potential project benefits, amounting to £4.4million p.a. are detailed at Annex 2. The Annex also demonstrates how the potential additional benefit could be disaggregated to the partner authorities. The financial benefit accruing to the districts detailed on this Schedule is in addition to the enabling payment and containerisation funding they will receive from KCC in order to make the change in service provision.
- 2.8 The disaggregation of this benefit is to be based on the following principles:
- The investment made to change services will be refunded from disposal and collection savings before any benefits are distributed.
 - Canterbury City Council to receive additional funding of £189k p.a. to compensate for the shortfall between its Project View and the Alternative View (excluding garden waste charging)
 - The remaining benefit (or overage) to be disaggregated between KCC and the District Authorities in accordance with the following:
 - (a) 50% Kent County Council
 - (b) 50% District Authorities.
 - The benefit derived to the District Authorities to be disaggregated in proportion to the number of households within each district area.

Procurement

- 2.9 In view of the ending of existing contract arrangements for refuse collections and street cleansing services in Dover and Shepway from 30th September 2010 progress has also been made in the procurement of collection and processing capacity. A Procurement Board has been established consisting of officers from all partner authorities which reports to the East Kent Joint Waste Steering Group. A Competitive Dialogue approach is being adopted for the procurement as it enables tenderers to assist in the development of the best practicable solution. The Competitive Dialogue Timetable is attached at Annex 3 and outlines the key dates up to contract commencement.
- 2.10 The OJEU notice was dispatched on Friday 7th August and the Pre-Qualification Questionnaire (PQQ) subsequently sent out to 35 companies who had expressed interest. Of 12 respondents 9 companies successfully completed the PQQ stage and will be invited to enter into the Competitive Dialogue Process. A Contract Descriptive Document outlining the aspirations of the Partnership is being sent out to tenderers and their outline responses are due back on the 6th November.
- 2.11 Final contract specifications are expected to be drafted in the New Year with contract award timetabled for April 2010.

Legal

- 2.12 A draft memorandum of understanding (MoU) is nearing completion to provide a basis for a legally binding agreement to cover the key areas below:
- 1) Canterbury City Council, Dover District Council, Shepway District Council and Thanet District Council are required to commit to the NOM collection methodology as refined and informed by the Competitive Dialogue Process in order to deliver materials for processing in a single cost efficient manner.
 - 2) Dover District Council and Shepway District Council must commit to deliver their specified recycling waste streams to the transfer points and facilities specified by KCC from October 2010.
 - 3) Canterbury City Council and Thanet District Council must commit to deliver their specified recycling waste streams to the transfer points and facilities specified by KCC from April 2013, or earlier by mutual agreement.(re end of Hersden Contract 2012).
 - 4) Kent County Council will fund enabling payments and containerisation funding to the District Councils in accordance with the Districts compliance with the NOM collecting methodology.
 - 5) Kent County Council will provide processing capacity and or facilities for the materials collected by the Districts in accordance with the NOM collecting methodology.
- 2.13 It is necessary for individual authorities to commit formally to the project in accordance with the principles indicated above to allow a legally binding agreement to be put in place by January 2010.

3. Relevant Council Policy/Strategies/Budgetary Documents

- 3.1 This project delivers the principal objectives of the Kent Joint Municipal Waste Strategy (which have been adopted by all the partner authorities), namely:
- to deliver high quality services to the people of Kent, including an emphasis on waste reduction, recycling and diversion from landfill
 - to meet the statutory targets set for Kent, and
 - exceed them in areas where this is a locally agreed priority.
- 3.2 The project also addresses key environmental drivers for future service provision and development which include compliance with:
- National Waste Strategy 2007 (50% recycling by 2020 and progressive reductions in residual waste per individual).
 - Household Waste Recycling Act (provision of recycling collection service to all households by end of 2010).
 - Landfill Allowance Trading Scheme - the EU has imposed targets for member states to reduce the amount of biodegradable municipal¹ waste sent to landfill; Government has transposed these into Landfill Allowances for Waste

¹ The EU target is to reduce the amount of biodegradable municipal waste sent to landfill to 75%, 50% and 35% of that produced in 1995, by 2010, 2013 and 2020 respectively.

Disposal Authorities in England. Authorities exceeding their target will be fined.

- 3.3 The project also consistent with the Delivering Value for Money in Local Government (the VfM Delivery Plan) which set an expectation that substantial savings (£2.8bn) would arise through smarter procurement.

4. **Consultation planned or undertaken**

- 4.1 Consultation to-date has been limited to leaders, chief officers, Programme Board members consisting of portfolio holders from Partner Authorities, East Kent Joint Waste Scrutiny Sub-Group and Local Authority employed staff in affected areas.
- 4.2 A Communications Strategy is now being developed which will include wider consultation with members, employees, Neighbourhood Forums and the wider public.

5. **Options available with reasons for suitability**

- 5.1 The NOM has been developed from financial modelling based upon assumptions drawn from WRAP research, waste processors, council waste management and waste planning officers and experience from other Joint Working Waste Projects. The NOM will however be further developed through the Competitive Dialogue Process undertaken with interested tenderers over the next 3 months and only completed when the Final Specification is agreed in the New Year. This approach ensures that all opportunities to maximise the benefits of cost effective collection and processing solutions are explored.

6. **Reasons for supporting option recommended**

- 6.1 The cost modelling for developing the NOM has involved assessing a range of alternative operating models, of which the NOM provided the greatest overall cost and performance benefits.
- 6.2 In terms of risk, the model has been tested for sensitivity across a wide range of recycle market conditions and contract disposal rates. The version chosen for the report represents a conservative view of potential costs and income, and still demonstrates a significant saving. However, sensitivity analysis is still continuing in order to ensure that the model remains robust

7. **Implications**

(a) **Financial Implications**

See 2.2 to 2.8 above and Annex 1 and 2 to this Report.

(b) **Legal Implications**

The MoU will set out the principles upon which the partnership is to be founded. In order for the project to progress and to maximise the efficiency to be derived from the current round of procurement all parties must commit formally to the undertakings within the MoU set out in paragraph 2.12 above. This provides clarity for each authority's commitments in respect of service changes, financial obligations and benefits.

Other implications

(c) Staffing/resource

The table below identifies those services provided by contractors and those services which are currently provided in-house:

| Authority | Waste Collection – Residual and Recycling | Street Cleansing |
|--------------------------|---|------------------|
| Dover District Council | SITA | SITA |
| Shepway District Council | VEOLIA | In-house |
| Canterbury City Council | SERCO | SERCO |
| Thanet District Council | In-house | In-house |

TUPE regulations will apply to the transfer of staff between contractors and from councils.

Subsequent discussions on contract management arrangements will form part of the East Kent councils' wider discussions on the provision of joint services. This will potentially affect client staff in all the districts and KCC.

(d) Property Portfolio

Properties available for use at the present time to the successful tenderer are detailed below:

| Depot | Council |
|--|---------|
| Military Road Depot, Folkestone | SDC |
| Tower Hamlets Depot, Tower Hamlets Road, Dover | DDC |

(e) Environmental/Sustainability

Not only does the project drive up recycling performance from an average of 37% to an average of 48% across East Kent but it also:

- Maximises cost effectiveness removing artificial barriers across the two tiers of Government
- Enables cross border operation to deliver more efficient collection practices,
- Reduces collection and transfer/haulage mileage,
- Encourages opportunities for co-location of transfer, processing and depot facilities
- Enables environmental criteria to be included within the contract evaluation.

(f) Planning/Building Regulations

Contractors will be responsible for ensuring any facilities provided for use in this contract have the appropriate planning and building regulation permissions

(g) Human Rights issues

The proposals are consistent with Human Rights legislation.

(h) **Crime and Disorder**

No significant implications.

(i) **Biodiversity**

No significant implications.

(j) **Safeguarding Children**

No significant implications.

(k) **Energy efficiency**

An outcome of the proposals will be to reduce vehicle and property requirements to the minimum, which will lead to reduced energy and fuel usage.

8. **Conclusions**

The East Kent Joint Waste Project enables the implementation of the Kent Joint Municipal Waste Strategy in East Kent and in the process delivers significant benefits to Partner Districts and Kent County Council.

Districts will benefit from:

- Expanded recycling services including garden and food waste collections to a minimum of 60% of district households
- Enhanced recycling performance averaging 48% across the East Kent area
- Additional annual funding from KCC to net off the budget impact of the changes
- Additional capital funding to finance the changes in containerisation required
- 50% share of disposal benefits after investment costs have been recovered.

KCC will benefit from:

- 50% share of net disposal benefits
- Ability to strategically manage the waste streams within East Kent
- Removal of distorting influence of recycling credit payment mechanism

Both parties also benefit from:

- More certainty through securing long term processing capacity
- Better coordination of recycling, prevention and minimisation initiatives
- Environmental benefits such as reduced carbon emissions from more efficient transport arrangements.

9. **Background Papers**

Annex 1 – Project View/Alternative View
Annex 2 – Disaggregation Views
Annex 3 – Procurement Timetable

Contact Officer: Mark Seed Telephone: 01843 577742

Project View/Alternative View Comparison Table

| Authority | Project View | | Alternative View | |
|---------------------------------|--------------|---|--|---|
| | Rec. Rate | Financial impact | Rec. Rate | Financial Impact |
| Canterbury City Council | 51% | Existing Budget maintained £548k Enabling Funding and £202k Contain. Funding to expand services | Opt 1 47% Opt 2 36% | Existing budget reduced by £737k (End market income) Existing budget reduced by £1,605k (End Market recycle and Garden waste Income) |
| Dover District Council | 44% | Existing Budget reduced by £375k (3 vehicle round saving) £219k Enabling Funding to replace lost income and £1,338k Contain. Funding | 25% | Existing budget reduced by £407k (GW Income and 1 vehicle round saving) |
| Shepway District Council | 52% | Existing Budget reduced by £584k (5 vehicle round saving) £594k Enabling Funding to replace lost income and £667k Contain. Funding | 39% | Existing Budget reduced by £584k (vehicle round saving). Shepway retains GW income and end market income |
| Thanet District Council | 44% | Existing Budget maintained plus £233k Enabling Funding £1,148k Contain. Funding to expand services | 27% | Existing budget reduced by £561k Containerisation funding of £332k required |
| Kent County Council | 48% | Generates avoided disposal benefit of £2.9mn . Requires enabling funding of £1.59mn . Containerisation Funding of £3.35mn . Overall future budget requirement reduced by £1.31mn . | 33% | Additional budget cost up to £367k . |

Disaggregation Views

| SAVINGS BREAKDOWN: | Original | | Amended | |
|--|------------------------------|----------------|--|----------------|
| | NOM - Disposal Benefits Only | | NOM - Collection and Disposal Benefits | |
| £k (annual averages for project period) | | | | |
| Adjusted NOM Savings | | | | |
| Gross Disposal Savings | 2,897 | | 2,897 | |
| Joint Contract Collection Savings | 0 | | 1,000 | |
| Joint Contract Disposal/Collection Savings | 0 | | 500 | |
| Revised Gross Disposal Savings PLUS project savings | 2,897 | | 4,397 | |
| Inflation Impact Removed | 0 | | 0 | |
| Landfill Impact Removed | 0 | | 0 | |
| Containerisation Costs | 0 | | 0 | |
| Revised Gross Disposal Savings LESS adjustments | 2,897 | | 4,397 | |
| Enabling Payments | (1,590) | | (1,590) | |
| Additional Canterbury Enabling Payment | 0 | | (189) | |
| Revised WCA Funding | (1,590) | | (1,739) | |
| Adjusted Total Net Savings | 1,307 | | 2,658 | |
| Project Savings Sharing Proposal | | | | |
| Revised Gross Disposal Savings (from above) | 2,897 | | 4,397 | |
| Revised WCA Funding | (1,590) | | (1,739) | |
| KCC Net Saving | 1,307 | 50% | 2,658 | 50% |
| District Net Saving | 1,307 | 50% | 2,658 | 50% |
| Adjusted Total Net Savings | 1,307 | | 2,618 | |
| District Sharing | | | | |
| (Households used as apportionment basis) | Hholds 2007/8 | % Share | Hholds 2007/8 | % Share |
| Canterbury | 61,605 | 28.7% | 61,605 | 28.7% |
| Dover | 47,730 | 22.2% | 47,730 | 22.2% |
| Shepway | 45,135 | 21.0% | 45,135 | 21.0% |
| Thanet | 60,365 | 28.1% | 60,365 | 28.1% |
| District Net Saving (apportionment view) | 214,835 | 100.0% | 214,835 | 100.0% |
| | Savings Share £k | | Savings Share £k | |
| | 188 | | 376 | |
| | 145 | | 290 | |
| | 137 | | 275 | |
| | 184 | | 368 | |
| | 674 | | 1,309 | |

Procurement Timetable

| Stage | Date | Task |
|--|--|--|
| | 2009 | |
| Pre-Qualification Questionnaire | 10 August | Pre-qualification questionnaires available on request. |
| Procurement Board | 18 August (14.00) | Review progress. |
| Procurement Board | Tues, 1 September (14.00) | Review progress. |
| Open Day | 10 September | Briefing & Depot Open Day for all prospective tenderers. |
| Procurement Board | Tues, 15 September (14.00) | Review progress. |
| Pre-Qualification submission deadline | Fri, 18 September | For inclusion in the shortlist completed PQQ. Documentation must be returned by no later than noon 18 September 2009. |
| Review PQQ's | Tues, 22 September | MC to meet with Waste Consulting. |
| PQQ Scoring | Weds, 23 September (10.00 to 17.00, Room 405, SDC) | Review submissions and score. |
| Procurement Board | Tues, 29 September (14.00) | Review progress. |
| Invitation to participate in initial dialogue on Outline Solutions | 2-5 October | Short listed Tenderers will be notified and sent an outline specification inviting them to participate in a dialogue on outline solutions. |
| Opening Dialogue meetings | Tues/ Weds, 13/14 October (SDC) | First stage meetings. |
| Procurement Board | Tues, 27 October (14.00) | Review progress. |
| Bidders submit Outline Solutions | 6 November | |
| Dialogue on Outline Solutions | Tues/ Weds 10/11 November (SDC) | Second Stage Meetings |
| Invitation to submit Detailed Solutions | 13 November | Short listed Tenderers will be notified and invited to participate in a dialogue on detailed solutions. |
| Procurement Board | Tues, 24 November (14.00) | Review progress. |
| Bidders submit Detailed Solutions | 4 December | |
| Dialogue on Detailed Solutions | Tues/ Weds, 8/9 December (SDC) | Third Stage Meetings |
| Invitation to submit Refined Solutions | 14 December | Short listed Tenderers will be notified and invited to participate in dialogue on Refined Solutions. |
| Procurement Board | Tues, 22 December (14.00) | Review progress. |
| | 2010 | |
| Bidders submit Refined Solutions | 9 January | |
| Dialogue on Refined Solutions | Tues/ Weds, 12/13 January (SDC) | Fourth Stage Meetings |
| Closure of Dialogue Process | 18 January | Short listed tenderers will be notified and invited to participate in dialogue on Refined Solutions. |
| Procurement Board | Tues, 19 January (14.00) | Review progress. |

| Stage | Date | Task |
|------------------------------------|----------------------|--|
| Issue Final Tender documentation | January/ February | |
| Bidders submit Final Tenders | February/March | |
| Clarification Period | March | |
| Identification of Preferred Bidder | March | |
| Bid Refinement | March | |
| Contract Award | April | |
| Contract Run-in Period | April - September | |
| Contract Commences | 1 October 2010 | (Or such other date as may be agreed). |

EAST KENT (JOINT SCRUTINY) COMMITTEE
WASTE MANAGEMENT WORKING SUB-GROUP

9 September 2008

Minutes

Present: Councillor M Fisher (CCC)
Councillor M Harrison (TDC)
Councillor K Mills (DDC)

Officers Present: John Bunnett, Deputy Chief Executive (TDC)
Lorraine Burley, Senior Committee Administrator (SDC)

Also Present: Councillor D Lloyd-Jones (DDC) Substitute Member
Rebecca Brough (DDC)

1. Apologies for absence

Apologies for absence were received from Councillor A Clifton-Holt (SDC) - substitute to be Councillor P Martin and Mr Vye (KCC) who was to be substituting for Mr Law.

2. Election of Chairman

Councillor M Harrison was elected as Chairman.

3. Terms of Reference

- (i) It was confirmed that the composition of the sub-group be five non-executive cross party members, one from each participating authority.
- (ii) It was confirmed that membership of the sub-group be nominated from the membership of the East Kent (Joint Scrutiny) Committee with named substitutes.
- (iii) It was agreed that three members are required to make a quorum.

It was agreed that items (iv) to (viii) be discussed as a single item.

John Bunnett summarised the report 'Converging the waste collection, recycling and disposal services of East Kent – working towards the optimum service' which had previously been presented to the East Kent (Joint Arrangements) Committee on 25 June 2008 and also to the East Kent (Joint Scrutiny) Committee on 9 July 2008.

Next steps for consideration included:

- a) Technical – how waste is collected and recycled, how the county deals with different materials and the costs involved in collecting waste and its disposal. The sub-group will need to increase its knowledge base regarding facts and figures, including visits to see other waste collection and disposal systems. Also to be investigated are issues around glass, efficiency, cost effectiveness and best practice elsewhere.
- b) Legal – Mark Ellender (CCC) will take the lead on legal matters and will be drawing up an arrangement that all authorities will be signing up to. Attention was drawn to the fact that all authorities taking part must be committed from the outset as there will be an outlay on capital equipment by Kent County Council on behalf of the project.
- c) Finance – Mike Davis (DDC) will lead.

It was proposed to look at best practice both in this country and abroad (desk top appraisal) and information was available from the global work done by Environmental Resources Management Ltd (ERM).

After the meeting, a programme would be drawn up detailing logistics and organisations to be contacted.

All the current waste disposal contracts the local authorities have in operation will have expired by 2013 and completing the work required between now and then will be challenging. The Waste Management Working Sub-Group is due to report back to the East Kent (Joint Scrutiny) Committee in March 2009.

It was agreed that a report on the current situation regarding waste management would be prepared by John Bunnett for the next meeting and background documents would be available.

John Bunnett went on to emphasise the importance of keeping the general public informed and updated about the project and possible consultation exercises.

After discussion, authorities and their current responsibilities for the project were listed:

Canterbury City Council – Legal
Dover District Council – Finance
Thanet District Council – Lead
Shepway District Council – Administration

It was therefore suggested that Kent County Council take over the public information role.

4. Any other business

Kent County Council had yet to appoint a successor member to Mr John Law for the Waste Management Working Sub-Group, who was the KCC Conservative lead spokesman on the Cabinet Scrutiny Committee – this position has been filled by Mr John Simmonds.

5. Date, time and venue of the next meeting

It was agreed that the next meeting be held in approximately a month's time, to start at 9am at Dover District Council offices.

EAST KENT (JOINT SCRUTINY) COMMITTEE
WASTE MANAGEMENT WORKING SUB-GROUP

3 December 2008

Minutes

Present: Councillor Clifton-Holt (SDC)
Councillor M Harrison, Chair (TDC)
Councillor K Mills (DDC)

Officers Present: John Bunnett, Deputy Chief Executive (TDC)
Lorraine Burley, Senior Committee Administrator (SDC)

Also Present: Chris Stannard, Project Manager
Rebecca Brough (DDC)

1. Apologies for absence

Apologies for absence were received from Councillor Fisher (CCC) and Councillors Simmonds and Vye (KCC).

2. Declarations of interest

There were no declarations of interest.

3. Minutes

The minutes of the meeting of 9 September 2008 were agreed and signed as a true record.

4. Presentation of the current waste management situation in Kent and East Kent

John Bunnett introduced Chris Stannard, Project Manager for the East Kent Joint contain two elements:

- To bring everyone to the same knowledge base regarding the background to waste management.
- How the project had progressed since September 2008

The presentation (which had previously been distributed) covered the following points:

- Kent's waste tonnes per annum

- Household waste
- The Kent Waste Management Story

Up until 1990's predominantly landfill
 Kent waste diversion from landfill
 Three Waste Streams (Recycling, Green and Residual)
 Kent waste diversion from landfill
Residual
 Waste Transfer and disposal to landfill 1994-2006
 Landfill
 Allington Waste to Energy
 Waste arisings and collection
Recycling
 Recycling collections
 Current collections
 Household Waste Recycling Centres
Green Waste Collections
 Composting – Garden/Food Waste
 Predicted Waste Flows based on Current Plans
 Future Planned Diversion

5. 'Converging District and County waste services – can it be done?'

A second presentation (Appendix 1 attached) followed covering the following points:

Summary
 Purpose of the session
 Background – Current Services
 Aims
 ERM Report (November 2007)
 Coordination and Technical – TDC
 Legal – CCC
 Financial – Dover
 Political
 How far have we got?
 What is left to do?
 Conclusions and Key Messages

John Bunnett stated it was imperative that if any authority had issues which could possibly be 'deal breakers' that these be discussed as early as possible as a substantial initial investment would be made into the project.

A table 'East Kent Work Programme – Proposed Timetable (attached as Appendix 2) was distributed to those present.

Responding to questions, John Bunnett and Chris Stannard stated:

The scheme would have been most cost effective if it had been possible to start from scratch. However, there were existing waste collection contracts for the four authorities.

There are two options as how to proceed:

- To tender a contract to the waste industry (a process could be constructed to allow local authorities to bid).
- To create a local authority type company.

Both options would have staff implications and trade unions (Unison and GMB) had been contacted as well as Thanet District Council Human Resources Section as their waste collection service is in-house.

Quality/value judgements are difficult to make, Thanet DC recently brought back in-house arrangements and there has been a 20% increase in performance, but working hours have decreased from 48 hours to 37.5 per week. Likewise, kerbside sorting as operated by Shepway DC results in an income but takes longer and uses more operatives and vehicles and benefits KCC. Sending waste to be processed is cheaper.

Public consultation is considered to be vitally important, Chris Stannard is to attend the Dover Neighbourhood Forum meeting in January 2009 to start the process as Dover DC will have the most changes to make to waste collection services. Remaining forums are to be contacted in due course.

It was envisaged that food and garden waste would be co-mingled. This would lead to a loss of revenue for those authorities who charge for a separate garden waste collection as collecting food waste cannot be charged for Shepway DC stands to lose £200,000pa.

KCC offer credits to district councils for recyclable materials, but the value of recyclates has recently dropped dramatically. It should be ensured that any new facility should have adequate storage facilities until prices rise.

The trend is to move away from weekly to fortnightly waste collections, and it will be important to reassure the public that this will be satisfactory. A specific size (240 litres) wheelie bin is supplied for fortnightly collections. However, in Dover approximately 30% of households (mainly in deprived areas) are unable to have a wheelie bin due to the steep incline of roads. If plastic bags are to be used there may be problems with the control of pests. There is also a limit to the amount of garden waste that is permitted to be collected. A solution to this may be the distribution of composting bins to residents.

6. Time, date and venue of next meeting

Thursday 15 January 2009 at Shepway District Council offices

EAST KENT (JOINT SCRUTINY) COMMITTEE
WASTE MANAGEMENT WORKING SUB-GROUP

15 January 2009

Minutes

Present:

Councillor M Harrison, Chair (TDC)
Councillor M Fisher (CCC)
Councillor D Lloyd-Jones (DDC) Substitute for Cllr K Mills
Councillor J Simmonds (KCC)
Councillor Clifton-Holt (SDC)

Officers

John Bunnett, Deputy Chief Executive (TDC)

Present:

Lorraine Burley, Senior Committee Administrator (SDC)

Also

Chris Stannard, Project Manager

Present:

Rebecca Brough (DDC)

1. Apologies for absence

There were no apologies for absence.

2. Declarations of interest

There were no declarations of interest.

3. Minutes

The minutes of the meeting of 3 December 2008 were agreed and signed as a true record.

4. Presentation and verbal update on the project

The presentation had previously been made to the Programme Board on 13 January 2009 and is attached to these minutes as Appendix 1.

Points covered:

Meeting Objectives

Technical Update

a) Recycling service Options for Change

- Dry recycle options reviewed
- Food waste options reviewed

b) Implications of Project for Districts

c) Implications for County

Finance Update

Legal Update

Timescale

Discussion Issues

John Bunnett asked what matters would be regarded by individual authorities as 'Dealbreakers'.

Thanet – public resistance, political repercussions, food and garden waste co-mingled. However, a 'dealmaker' would be the glass collection.

Dover – public resistance and problems regarding the suitability of use of wheelie bins. Dealmakers would be glass collection and being able to convince the public that taxes were being kept down.

Canterbury - collection of glass is positive, as is co-mingling food and garden waste (at present Canterbury does not collect garden waste during the winter). Lines of communication should be open at all times and a contractual arrangement, rather than a joint board, would be preferred.

Shepway – No savings being made; drop in service to the public; too many changes; and if the MURF breaks down and the material is taken to landfill.

KCC - Economies are to be made; needs to be 'sold' correctly, needs briefing to make it happen. There is a government drive towards single authorities, we must co-operate or be forced.

John Bunnett stated that it should be made very clear that this should not be seen as the next step towards unitary government. This group does not consider this project as the thin end of the wedge towards a unitary authority – we are working together for value for money.

5. Time, date and venue of the next meetings

It was agreed that the following meetings be held on:

Monday 9 February at 10am, Civic Centre, Castle Hill Avenue, Folkestone
 Monday 23 March at 2pm, Civic Centre, Castle Hill Avenue, Folkestone.

EAST KENT (JOINT SCRUTINY) COMMITTEE
WASTE MANAGEMENT WORKING SUB-GROUP

9 February 2009

Minutes

Present: Councillor M Harrison, Chair (TDC)
Councillor K Mills (DDC)
Councillor J Simmonds (KCC)
Councillor A Clifton-Holt (SDC)

Officers John Bunnett, Deputy Chief Executive (TDC)
Present: Lorraine Burley, Senior Committee Administrator (SDC)

Also Chris Stannard, Project Manager
Present: Matt Bench, Project Manager
Rebecca Brough (DDC)

1. Apologies for absence

Apologies for absence were received from Councillor M Fisher (CCC)

2. Declarations of interest

There were no declarations of interest.

3. Minutes

The minutes of the meeting of 15 January 2009 were agreed and signed as a true record.

4. Presentations and verbal update on the project

John Bunnett introduced two presentations which covered:

- a. Food/Green waste collections
- b. How waste collection services will change

In the discussions following the presentations, John Bunnett said that the future service to Dover should be flagged up as a concern, as only the 60% of households who currently use a wheeled refuse bin will receive an improved service. The remaining 40% of households using black bags because of the unsuitability of the terrain for wheeled bins will receive their current service.

In response to questions, John Bunnett stated:

- All food items could be put into the food waste bins and if once collected, there was a pronounced concentration of one type of food, this could be monitored and regulated at the depot.
- That initially, there is some public concern to a change in waste collection services, but once settled in, public acceptance is good. A mix of consultation and marketing is required and the Thanet and Dover areas will need special consideration regarding the proposed alternate weekly collections.
- Kent County Council household recycling sites do not at present take organic waste in parallel with the proposed domestic collections – this will happen over time, but it will be a massive investment.
- Current waste collection vehicles have a liquid trap to prevent seepage on roads.
- A visit for Members to the Blaise Farm composting facility will be arranged.
- Every property covered by the authorities will have to be assessed as to its suitability for a bin or bag collection service.
- Under the new proposals there will be three types of refuse collection vehicles:

One vehicle each for the collection of residual and food/garden waste and one split bodied truck for the collection of card and paper in one section and cans, plastic and glass in the other.

John Bunnett went on to state that the Waste Management Working Sub-Group needed to meet for a final time, possibly on the 23 March to discuss detailed finance and other issues, the duration of this meeting would be approximately three hours. The East Kent Joint Arrangements Committee was now meeting on the 8 April and the Sub-Group would formally report to the East Kent Joint Scrutiny Committee on 28 April.

Concerns were raised over the lack of public consultation regarding the proposals, and that waste forums and neighbourhood forums had not been engaged. John Bunnett answered that this was something that had been struggled with and it had been felt that the best option was to recommend a particular system.

Members were of the opinion that Kent County Council should work in parallel with the other four authorities as far as waste disposal at civic amenity sites and the promotion of composting and recycling dry materials were concerned. John Bunnett said that an officer from KCC would be invited to the next meeting of the Sub-Group to present a short paper on household waste sites, transfer stations and processing facilities.

During general discussion, it was stated that Thanet pays £29 per ton to dispose of waste and Shepway pays £55 per ton. A concern was that Shepway would have the greatest change to its collection service and it might draw criticism as not all properties would be accessible to receive the new service.

John Bunnett informed Members that any change, even if beneficial is traumatic and cost/service has to be balanced. The biggest saver in the new scheme would be KCC which would then distribute cost savings to the district councils.

5. Time, date and venue of the next meetings

It was agreed that the next meeting be held on:

Monday 23 March at 2pm, Civic Centre, Castle Hill Avenue, Folkestone.