

Dorset Waste Partnership Joint Committee



Minutes of the meeting held at on Monday, 7
November 2016.

Present:

Anthony Alford (West Dorset District Council) (Chairman)
Michael Roake (North Dorset District Council) (Vice-Chairman)

Members Attending

Margaret Phipps (Christchurch Borough Council), Barbara Manuel (East Dorset District Council), David Budd (Purbeck District Council), Peter Webb (Purbeck District Council), David Walsh (North Dorset District Council), Ray Nowak (Weymouth & Portland Borough Council), Kevin Brookes (Weymouth & Portland Borough Council), Robin Cook (Dorset County Council), Mike Dyer (East Dorset District Council) and Mary Penfold (West Dorset District Council).

Other Members in attendance

Daryl Turner (observer).

Dorset Waste Partnership Officers Attending:

Paul Ackrill (Commercial and Finance Manager), Gemma Clinton (Head of Service - Strategy), Grace Evans (Clerk), Michael Moon (Head of Service - Operations), James Potten (Communications and Marketing Officer), Karyn Punchard (Director), Andy Smith (Treasurer), Denise Hunt (Senior Democratic Services Officer)

Other Officers in attendance

Steve Mackenzie (Purbeck District Council), Lindsay Cass (Christchurch and East Dorset Borough Councils) and Graham Duggan (Dorset Councils Partnership).

- (Notes:(1) Publication In accordance with paragraph 8.4 of Schedule 1 of the Joint Committee's Constitution the decisions set out in these minutes will come into force and may then be implemented on the expiry of five working days after the publication date. Publication Date: **Monday, 14 November 2016**
- (2) These minutes have been prepared by officers as a record of the meeting and of any decisions reached. They are to be considered and confirmed at the next meeting of the Joint Committee to be held on **Monday, 16 January 2017.**)

Apologies for Absence

49 Apologies for absence were received from Ray Bryan, Colin Bungey, Peter Finney, Robert Gould and Alan Thacker.

Code of Conduct

50 There were no declarations by members of any disclosable pecuniary interests under the Code of Conduct.

Minutes

51 The minutes of the meeting held on 12 September 2016 were confirmed and signed.

Public Participation

52 Public Speaking

There were no public questions received at the meeting in accordance with Standing Order 21(1).

There were no public statements received at the meeting in accordance with Standing Order 21(2).

Petitions

There were no petitions received in accordance with the County Council's petition scheme at this meeting.

Dorset Waste Partnership Forward Plan 2016

53 The Joint Committee considered its forward plan and were advised of the following in relation to the unscheduled items:-

- Infrastructure Review – to be considered in March or June 2017
- Update on Commercial Waste Pricing Policy & Revised Dorset Waste Strategy - to be considered on 23 March 2017 (both are open reports)

Noted

Vehicle Replacement Capital Programme

54 The Joint Committee considered a report by the Head of Service (Operations) which was an update on the report in October 2015 that identified some revised vehicle requirements relating to the replacement of leased vehicles and replacement street cleansing vehicles.

A member expressed concern regarding the increase in cost from £422k to £645K and that forward planning with regard to procurement was not as strong as it should be.

The Head of Service (Operations) advised that the increase in capital spend had been due to the replacement of street cleansing vehicles that had not been anticipated in the original plan. In addition, a van mounted cleansing system was proposed for the removal of graffiti and chewing gum.

Resolved

That the revised procurement programme as outlined in this report be agreed.

Reason for Decision

To ensure continued review of the fleet and allow the DWP to develop Commercial Services and respond to the requests from partner Authorities.

Financial Report November 2016

55 The Joint Committee considered a joint report by the Treasurer and the Finance and Commercial Manager to the Dorset Waste Partnership.

The Treasurer reported that the October forecast data had become available since the report was published and had produced a similar figure in terms of the potential underspend of £1.2m in 2016/17.

Members queried the savings arising from route optimisation in East Dorset and Christchurch given the costs of the additional resources that had been necessary to ensure that rounds were completed on time.

It was confirmed that the cost of the temporary resources relating to extra vehicles and employment of agency staff had been in the region of £80-85k. These costs had been absorbed in the operational budget and were therefore not included as an overspend in the report. In 2017/18 there would be half of the expected saving based on what was currently known.

A member congratulated the DWP finance team on the work achieved so far which was both welcoming and encouraging. It was noted that the Joint Committee was able to have a better understanding of the risks inherent in the budget, particularly the price of recycle which remained a volatile factor.

Members asked at what point the underspend of £1.2m would be returned to the partner authorities.

The Treasurer advised that the Joint Committee would determine whether the whole amount was returned to partner authorities or whether any adjustment was made to the budget equalisation reserve at its meeting in June 2017 once the financial closing position for 2016/17 was known.

The report included the capital spend and commitment for the year to date and the Director gave a short presentation to provide an update on the Blandford scheme project that had been subject to a delay in capital expenditure.

Members were shown a plan of the existing facility and proposed new site and two options relating to highways access to the site.

The Director advised Members on the following points:-

- Land agent Savills had agreed to the sale of the land.
- Dorset Property had been appointed to manage the project.
- DWP Officers would undertake a site visit to the Broomhills depot that afternoon with the AONB team and waste local planners in order that they could be appraised of the issues.
- That the new Blandford facility should be open and available in 2020.

The Director advised that discussions with the local planners had been very positive. The site had been identified in the waste local plan and was likely to be confirmed in the Local Plan. Officers wanted to minimise the possibility of any objection to the scheme by the AONB team by holding early discussions, and incorporating any design requirements in at an early stage.

Noted

Draft Revenue Estimates 2017/18

56 The Joint Committee considered a joint report by the Treasurer and the Finance and Commercial Manager to the Dorset Waste Partnership.

Following introduction of the report by the Treasurer, a member noted that the budget assumed income arising from charging for containers which was premature as the public consultation had not yet concluded. The Treasurer confirmed that this element of the budget would be subject to further consideration at the meeting in January 2017.

Members asked whether any assumptions had been made for the way in which the DWP would be affected by local government reorganisation.

The Director confirmed that all planning under the Medium Term Financial Plan assumed the current geography of the DWP. The impact of local government reorganisation, including any disaggregation, would be assessed once a decision had been made with regard to the future structure and geography of local government. The Chairman offered a political view that any process of disaggregation would be disruptive and should be avoided if at all possible.

The Director drew attention to the budget relating to the disposal arrangements and updated members on the present situation with New Earth Solutions (NES). Ownership of NES had been bought by Panda Green which had a significant amount of waste management experience and presence in Ireland. She confirmed that Panda had been very open about its accounts and the improvements that the DWP

would require to be in place from January 2017, in order to divert 15k tonnes of waste to the facility.

She was therefore cautiously optimistic that the arrangements being put in place would have a positive impact on the budget that could lead to a further £100k saving. This would also be subject to negotiations that were ongoing with regard to the cost of diverting the additional 15k tonnage from January 2017.

She confirmed that representatives from Panda would be available to speak to members attending the site visit to NES (Canford) later in November.

The Chairman confirmed that any necessary budget adjustments in relation to disposal costs would be reflected in the report in January 2017.

RECOMMENDED

That the draft revenue estimates for 2017/18 be recommended to partner councils, for consideration at the next Joint Committee on 16 January 2016.

Resolved

- 1 That the savings proposals included within the revenue estimates for 2017/18 be noted;
- 2 That the cost shares for each partner council be noted.

Reason for Recommendation

The Inter-Authority Agreement required the Joint Committee to recommend a draft estimate for the following year to partner councils. This is to enable partners to give their views on the draft estimates and to reflect them in their own budgets.

Capital Programme 2016/17 - 2021/22

57 The Joint Committee considered a joint report by the Treasurer and the Finance and Commercial Manager to the Dorset Waste Partnership.

The Chairman summarised the recommendation and explained that Dorset County Council was required to approve capital expenditure as the host authority.

Further to a question it was confirmed that the first meeting of the Joint Scrutiny Group would take place on Friday 18 November. Both members and reserves had been appointed to this group. An agenda was currently being compiled that would include items on the terms of reference, the 2017/18 budget and a suggested forward plan.

Resolved

That the Treasurer be instructed to take the latest capital estimates through the County Council's capital programme approval arrangements.

Reason for Decision

The Capital Programme did not require the formal approval of partner councils, but they were invited to comment on the programme.

The County Council, as host authority, must incur capital expenditure on the Partnership's behalf by including the expenditure in the County Council's capital programme.

Medium Term Financial Plan 2016/17 - 2021/22

58 The Joint Committee considered a report by the Treasurer to the Dorset Waste Partnership.

The Treasurer explained that the Medium Term Financial Plan (MTFP) was a

statement about what the service would cost if it continued in its present form. It also included savings that had already been implemented. It made no assumptions about the local government reorganisation or about future savings proposals.

The Chairman commented that whilst understanding of the standstill position in terms of the assumptions, it might be interesting to know to what extent these adjustments could be tested in order to understand the impact on the model in the medium term when circumstances changed, for example, if there were a further 500 households. The Treasurer confirmed that an exercise to test the MTFP in this way could be undertaken.

The Director advised that the member Budget Challenge workshop held on 12 September considered major budget savings and service changes. The projected impact on the MTFP could be included as part of the agreed work streams in order that members could assess whether to introduce any of those service changes going forward.

Resolved

That the Medium Term Financial Plan 2018/19 to 2021/22 be adopted.

Reason for Recommendation

The Joint Committee along with the Management Board monitored the Partnership's performance against budget and scrutinised actions taken to manage within budget on behalf of partner Councils.

Narrow Access Routes - Savings Options

59 The Joint Committee considered a report by the Head of Service (Operations) which reviewed the application of the policy for collection of containers from the highway and also provided an update on the issue of glass collection on narrow access routes. The Head of Service (Operations) confirmed that the DWP did not have the infrastructure in place to collect glass as a separate waste stream.

Some revised wording to paragraph 3.5 of the policy was circulated to members of the Joint Committee at the meeting as follows:-

“Containers should be placed on the kerbside at the boundary/edge of curtilage of the property adjacent to the publicly maintained road, unless otherwise agreed by the DWP. Wheeled bins and containers must be clearly visible with no restrictions to access.

Where a household is on a private street and council collection vehicles have historically accessed this road, the DWP will endeavour to continue to do so. Where the collection is from a private road then permission will be required from the owner. Both for private streets and for private roads DWP will not accept liability for damage caused to the private road/street surface (including verges) where DWP are acting reasonably.

Where it is not possible to access the private road or street or permission is not received, the normal collection point will be at a suitable position on the nearest publicly maintained road or at another point agreed between the household and the DWP. Where the DWP cannot collect from a private road or a private street householders will be contacted concerning the revised collection point.”

Councillor Dyer expressed concern about the policy. He explained that there were a number of roads in his ward that were not owned by anybody leading to a legal situation that was far from clear. Although these were not necessarily narrow access roads, they were unadopted and standard vehicles performed the waste collection. He therefore needed to be reassured that these collections would continue as this

had not been specified in the recommendations. He also asked what would happen if 1 or 2 residents refused to sign an indemnity and whether the revised wording could also include reference to narrow access roads.

The Legal Advisor agreed to revisit the wording with regard to narrow access in order to make this clearer in the policy. She explained that private roads and streets were not maintained by Dorset County Council at public expense. The public had access to private streets, but DWP required permission to collect waste from private roads.

She explained that, aside from the issue of narrow access, the revised policy wording attempted to make the terminology clearer and in line with language used in the legislation. Officers had specifically considered whether home owners should indemnify DWP for any damage caused to roads by the DWP. It was decided to remove the reference to indemnity as acting reasonably, the DWP would not accept liability for damage caused to private roads and streets, and so an indemnity would not be required or add benefit. Instances where any resident refused to give permission to access a private street would be considered on a case by case basis.

In response to concern expressed about residents' interpretation of the policy, the Director confirmed that, subject to approval of the report recommendations, residents that had recently received a letter regarding indemnity would receive further correspondence to explain the situation.

Resolved

- 1 That the proposal to retain existing household collection points be approved;
- 2 That the revised wording of the Recycle for Dorset Service policy circulated at the meeting, be approved and subject to the inclusion of a specific reference to narrow access routes;
- 3 That the collection of glass as a separate waste stream on narrow access routes be continued.

Reason for Decisions

Implementing the adopted policy across the whole of the area covered by DWP would allow for this to be taken into account in future route optimisation projects.

Questions from Councillors

60 No questions were asked by members under Standing Order 20.

Meeting Duration: 10.00 am - 10.55 am