

MINUTES OF A MEETING OF THE
OVERVIEW AND SCRUTINY COMMITTEE
HELD IN THE COUNCIL CHAMBER,
WALLFIELDS, HERTFORD ON THURSDAY 30
NOVEMBER 2023, AT 7.00 PM

PRESENT: Councillor D Andrews (Chairman)
Councillors P Boylan, E Buckmaster,
R Carter, N Clements, N Cox, C Horner,
G McAndrew, S Nicholls and G Williams

ALSO PRESENT:

Councillors B Crystall, B Deering and
T Hoskin

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Officer
James Ellis	- Head of Legal and Democratic Services and Monitoring Officer
Chloe Hipwood	- Service Manager - Waste, Recycling and Street Cleaning
Katie Mogan	- Democratic Services Manager

236 APOLOGIES

Apologies for absence were received from Councillors

Redfern, Swainston, Thomas and Woollcombe. It was noted that Councillor Jacobs was substituting for Councillor Redfern and Councillor Watson was substituting for Councillor Woollcombe.

237 MINUTES - 7 NOVEMBER 2023

The Minutes of the meeting were submitted. Councillor Andrews said that the following should be deleted from the 3rd paragraph of minute 207:

‘The Chairman assured Members that he was in discussion with the Leader regularly in terms of the Forward Plan and its impact on the Work Programme of Overview and Scrutiny Committee’

Councillor Andrews suggested that there should be an amendment to delete paragraph 8 of Minute 209 (Overview and Scrutiny Committee – Draft Work Programme). He suggested that the paragraph should be replaced as follows:

Delete “The Chairman assured Members that he met regularly with the Leader to ensure the co-ordination of the Council’s Forward Plan and the Work Programme of the Overview and Scrutiny Committee”.

Replace with “The Chairman said that he was looking forward to meeting with the Leader and the Deputy Leader and the Vice-Chairman of the Overview and Scrutiny Committee”. This amendment was supported.

Councillor Nicholls proposed and Councillor Carter seconded, a motion that the Minutes of the meeting

held on 7 November 2023, as amended, be confirmed as a correct record and signed by the Chairman.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 7 November 2023, as amended, be confirmed as a correct record and signed by the Chairman.

238 CHAIRMAN'S ANNOUNCEMENTS

There were no Chairman's announcements.

239 DECLARATIONS OF INTEREST

Councillor Buckmaster declared an interest in the matter referred to in minute 240 – Waste, Recycling and Street Cleansing Contract Service Design, on the grounds that he was the Chairman of the Hertfordshire County Council Hertfordshire Waste Partnership. He was also the Executive Member for Environment at Hertfordshire County Council and this portfolio included waste disposal.

Councillor McAndrew declared an interest in the matter referred to in minute 240 – Waste Recycling and Street Cleansing Contract Service Design, on the grounds that he was the deputy HCC Executive Member to Councillor Buckmaster and he was the regional flood climate change representative as well.

240 WASTE RECYCLING AND STREET CLEANSING CONTRACT SERVICE DESIGN

The Executive Member for Environmental Sustainability submitted a report reminding Members that the Executive had agreed the service design for the new waste, recycling and street cleansing contract on 25 October 2022, along with new aims and principles of the Shared Service which were based around delivering services which were both financially and environmentally sustainable.

The Executive Member talked about the high profile of the Waste, Recycling and Street Cleansing Service which impacted on residents every week. He said that the service contract represented the largest single spend of the council. He also said that the contract impacted on the council's ability to achieve carbon reduction and sustainability aims for the district.

The Executive Member touched on the critical elements of the contract and said that Officers had worked with Members at East Herts and North Herts during the summer of 2022 to design services which would meet financial and environmental sustainability objectives.

The Executive Member talked about the affordability issues that had been identified during the initial tenders that had been received. He said that a competitive dialogue procurement process was currently ongoing, and this had allowed Officers to explore service design options which may present benefits to the council.

The Executive Member said that Officers were seeking a decision from discussions this evening in respect of service design options that would be taken forward with the intention of supporting the long-term financial sustainability of the service and the council.

The Executive Member set out the context in which this process was taking place. He referred in particular to the publication on 21 October 2023 of the government's response to its consultation on the resources and waste strategy. He said that this had resulted in proposed legislative and statutory guidance changes and Officers were in the process of reviewing the information and had already and would continue to respond to further consultation and statutory guidance.

The Executive Member said that further clarity and detail would be known in mid-2024 and further decisions would be required once this detail was known. He said that this report contained a wealth of detail for Members to consider. He concluded that the proposals resulted from a competitive dialogue between officers and various bidders and represented an opportunity to support the long-term financial sustainability of the new contract.

The Chairman asked about the mobilisation date for the new contract. The Shared Waste Services Manager said that this was May 2025. She confirmed that the life of the vehicles varied, and it was becoming apparent that electric vehicles had a somewhat longer life of 10 years. Members were advised that

depreciation of vehicles was being planned on the basis of 8 years and small sweepers had a 4-year life.

Councillor McAndrew asked if the Executive Member or the Shared Waste Services Manager could give Members an understanding of when the contract went out to soft tender in the public domain. He asked about the independent workshops that had been held with a small group of administration Councillors. He expressed a number of concerns about the timeframe and that the decision making could not be held back.

The Shared Waste Services Manager said that this report was not the same paper that been submitted to North Herts Overview and Scrutiny. She said that the report to the North Herts cabinet (Executive) was not considered, and extra Overview and Scrutiny meetings had now been arranged at both East Herts and the equivalent at North Herts as well.

Councillor Buckmaster referred to inflationary pressures resulting from COVID-19 and the conflict in Ukraine. He said that planned capacity seemed to work as separating card and paper from other dry recycling can extend the collection time. He referred to the issue of the significant footprint of 4 wheeled bins and a food bin and many households would not have the space for this. He also referred to a potentially confusing collection cycle and said that this matter must go out to consultation due to the significant level of expenditure. He emphasised the importance of engaging and listening and referred to DEFRA guidelines regarding collection frequencies.

Councillor Buckmaster emphasised the need for additional street cleansing in areas that were known to be prone to flooding. He said that a lot of the material in the gullies had come off the roads and all local authorities had a role to play.

Councillor Andrews said that it was important that the matter of household footprint for bin storage was considered and in particular those residents who lived in Victorian and Edwardian or older properties that opened straight onto the street. He commented that centralised waste was not being encouraged in new developments.

Councillor Boylan asked for some clarity in the interests of transparency about the workshops that were held. He asked who represented the council in formulating these proposals. The Executive Member said that the workshops were attended by himself, the Head of Legal and Democratic Services, the Head of Strategic Finance and Property, the Shared Waste Services Manager and the Executive Member for Financial Sustainability.

There was a general discussion in respect of the impact of the Waste, Recycling and Street Cleansing Service Design proposals on residents and the role of scrutiny in that process and the consultation process with residents.

Councillor Carter referred to the difficulties faced by a resident living in a maisonette in terms of the difficulties of disposing of recycling. She commented on the removal of public recycling bins and the

possible use of bags instead of boxes of recycling. She asked whether consideration should be given to encouraging more communal recycling for residents living in maisonettes and flats.

The Executive Member referred to the difficulties of maximising recycling and maintaining the quality of recycling as the value fell right down for co-mingled recycling. He said the council could end up paying for co-mingled materials to be recycled and by the most practical way forward was to have separate bins.

Councillor Jacobs asked and was given an answer on what research had been done regarding service design options in respect of the proposed smaller bins for residual waste. Councillor Andrews made a point regarding reductions in the amount of paper being recycled. The Executive Member said that the full fibre bin would cater for paper recycling and the increasing amount of cardboard recycling.

The Shared Waste Services Manager said that it was expected that the amount that needs to be disposed of as residual waste would continue to reduce. She said that North Herts had been using 180 litre wheeled bins since 2013 without any issue. Members were advised of research carried out into environmentally sustainable solutions.

Councillor Buckmaster said that 20 percent of residual waste was food and some of this was wasted food that could have otherwise been used. He said that he was supportive of a three-weekly collection of residual waste due to the extra capacity resulting from

campaigns to reduce food waste and the alternative food waste bin.

Following a query from Councillor Jacobs, the Shared Waste Services Manager explained in detail how the new Waste, Recycling and Street Cleansing Service would operate in terms of the bins and collections for residential properties.

The Shared Waste Service Manager clarified that there would be a capital cost incurred in providing new 180 litre bins across the district. She said that the figures presented to Members included a potential identified operational saving and there was also data presented in respect of additional contractual impacts.

Following a comment from Councillor Williams, the Executive Member talked about the removal of food waste having a positive effect in that the waste would not rot away in landfill and releasing methane which could instead be used in a controlled environment to produce power.

Councillor Carter asked about the possibility of trialling the issuing of sacks to residents of flats instead of blue boxes. The Shared Waste Services Manager said that Officers could take that feedback away for consideration. She reminded Members that the Council did offer assisted waste collection services and residents were able to apply for that support.

Councillor Clements made a point about a possible missed opportunity in terms of a number of options for a wider input into the contract service design. The

Executive Member clarified the role that he had undertaken along with the Executive Member for Financial Sustainability, assisted by the attendance of the Head of Legal and Democratic Services and the Head of Strategic Finance and Property.

Councillor Clements referred to the significant impact of removing approximately 30% of litter bins from predominantly outside the town centres when compared to some of the service level agreement (SLA) changes. He also asked where the final decision would be made as to whether the contract was acceptable.

The Shared Waste Services Manager confirmed that the Executive would make the decision on 21 December 2023. She explained that the final specification would be finalised following dialogue to secure the best financially and environmentally sustainable position.

The Head of Legal and Democratic Services explained in more detail the impartial scoring system used to select potential bidders for the contract. The Shared Waste Services Manager explained that the scoring system had been developed in consultation with a consultant and legal representatives for the council. She said that there had been oversight from the project board.

Councillor Nicholls commented on the importance of behaviour change and asked if there was a budget in place for marketing. She expressed a concern about a 30% reduction in litter bins outside of town centres.

Councillor Boylan commented on the need for conversations with parish councils so that they could be worked with before litter bins were removed outside of town centres. He commented on the importance of behavioural change and referred to the mess that was encountered first thing on a town centre morning.

The Executive Member said that some science would be applied in respect of where bins were not being used. The Waste Shared Services Manager said that the contractual standards had not changed in respect of street cleansing and that Members and/or Parish Councillors would have an opportunity to be involved in the work to review litter bin provision.

Councillor Boylan commented on whether reducing the number of items collected as part of bulky waste services from six to three could possibly present the council with a fly tipping issue. The Shared Waste Services Manager said that reducing the amount to three meant that more could be fitted onto a vehicle for collections and the majority of residents were using three or fewer items for collections.

Councillor McAndrew talked about the problems of street cleansing and drainage problems caused by leaves and detritus blocking drains. The Executive Member said that the contract included provision for flood alleviation and there was provision for the policing of known flooding hotspots.

The Shared Waste Services Manager said that there would be no reduction in the standard or frequency of

road sweeping and clearing activities in respect of leaf fall and detritus. A number of comments were made in respect of the need for behavioural change regarding litter.

The Head of Legal and Democratic Services drew Members' attention to paragraph 3.14 regarding references to medium intensity changes to service level agreement not being in line with COPLAR. He talked about government guidance around residual waste and the cleanliness of streets.

Councillor McAndrew said that he felt that this decision should be taken at Council by all Members in the context of the holistic East Herts budget. He also asked about the option of calling in the decision.

The Head of Legal and Democratic Services said that this matter was an Executive decision on the basis that decision making was taken at the lowest possible level of governance. He referred to the tight timescales and said that an Executive decision could always be called in but one of the purposes of an issue being taken to Overview and Scrutiny was to eliminate the need for call in.

Councillor Buckmaster proposed and Councillor McAndrew seconded, a motion that Overview and Scrutiny Committee consider that the decision in respect of the Waste, Recycling and Street Cleansing Contract Service Design should be made by Council, on the basis that a decision would be made by all Councillors in the context of the East Herts budget.

After being put to the meeting and a vote taken, the motion was declared LOST.

Councillor Nicholls proposed and Councillor Watson seconded, a motion that the comments of the Overview and Scrutiny Committee be passed onto the Executive in respect of the proposals outlined in the report.

After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the comments of the Overview and Scrutiny Committee be passed onto the Executive in respect of the proposals outlined in the report.

241 URGENT ITEMS

There was no urgent business.

The meeting closed at 8.51 pm

Chairman
Date