

# COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE MEETING

Date: Tuesday 2 March 2021

Time: 6.30 pm

Venue: Remote Meeting: The public proceedings of the meeting will be broadcast live and recorded for playback on the Maidstone Borough Council Website

Membership:

Councillors M Burton, Joy, Khadka, Mortimer (Chairman), Powell (Vice-Chairman), Mrs Robertson, D Rose, M Rose and Young

*The Chairman will assume that all Members will read the reports before attending the meeting. Officers are asked to assume the same when introducing reports.*

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## **AGENDA**

Page No.

1. Apologies for Absence
2. Notification of Substitute Members
3. Urgent Items
4. Notification of Visiting Members
5. Disclosures by Members and Officers
6. Disclosures of Lobbying
7. To consider whether any items should be taken in private because of the possible disclosure of exempt information.
8. Minutes of the Meeting Held on 2 February 2021 1 - 7
9. Presentation of Petitions (if any)
10. Questions and answer session for members of the public (if any)
11. Questions from Members to the Chairman (if any)
12. Committee Work Programme 8
13. Reports of Outside Bodies
14. Homelessness Activity During 2020 9 - 14

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**Issued on Monday 22 February 2021**

**Continued Over/:**

*Alison Broom*

**Alison Broom, Chief Executive**

### **INFORMATION FOR THE PUBLIC**

In order to ask a question at this remote meeting, please call **01622 602899** or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk) by 5 p.m. one clear working day before the meeting (i.e. by 5 p.m. on Friday 26 February 2021). You will need to provide the full text in writing.

If your question is accepted, you will be provided with instructions as to how you can access the meeting.

In order to make a statement in relation to an item on the agenda, please call **01622 602899** or email [committee@maidstone.gov.uk](mailto:committee@maidstone.gov.uk) by 5p.m. one clear working day before the meeting (i.e. by 5p.m. on Friday 26 February 2021). You will need to tell us which agenda item you wish to speak on.

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To find out more about the work of the Committee, please visit [www.maidstone.gov.uk](http://www.maidstone.gov.uk).

Should you wish to refer any decisions contained in these minutes to the **Policy and Resources Committee**, please submit a Decision Referral Form, signed by **three** Councillors, to the **Head of Policy, Communications and Governance** by: **19 February 2021**

## **MAIDSTONE BOROUGH COUNCIL**

### **COMMUNITIES, HOUSING AND ENVIRONMENT COMMITTEE**

#### **MINUTES OF THE MEETING HELD ON TUESDAY 2 FEBRUARY 2021**

**Present:** Councillors Garten, Joy, Khadka, Mortimer (Chair), Powell, Mrs Robertson, D Rose, M Rose and Young

**Also Present:** Councillor Parfitt-Reid

125. APOLOGIES FOR ABSENCE

Apologies were received from Councillor M Burton.

126. NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor Garten was present as a Substitute Member for Councillor Burton.

127. URGENT ITEMS

There were no urgent items.

128. NOTIFICATION OF VISITING MEMBERS

Councillor Parfitt-Reid was present as a Visiting Member for Item 19 – Maidstone In Bloom Boroughwide Competition 2021.

129. DISCLOSURES BY MEMBERS AND OFFICERS

There were no disclosures by Members or Officers.

130. DISCLOSURES OF LOBBYING

There were no disclosures of lobbying.

131. EXEMPT ITEMS

**RESOLVED:** That all items be taken in public as proposed.

132. MINUTES OF THE MEETING HELD ON 5 JANUARY 2021

**RESOLVED:** That the Minutes of the meeting held on 5 January 2021 be approved as a correct record and signed at a later date.

133. PRESENTATION OF PETITIONS

There were no petitions.

134. QUESTIONS AND ANSWER SESSION FOR MEMBERS OF THE PUBLIC

Ms Maureen Cleator asked the following question of the Chairman:

*'In the last year there has been an increase in anti-social behaviour including violent attacks which have been centred in and around Star House Pudding Lane.*

*Local residents and businesses have reported increased drug and alcohol use which have resulted in and not limited to:*

- *people under the influence of suspected substance abuse, gathering outside our salon promoting a very uncomfortable atmosphere.*
- *One chap who was walking with his head down by his waist decided to rest his head on our salon window and subsequently fell asleep with his head on the window for around 15 minutes. He then snapped out of it and ran down the road to Star House. 2 days later he did almost exactly the same but wasn't quite so lucky and fell into our shop doorway. I had to pick him up and get him outside.*
- *A man under the influence who entered Farg Barbers and proceeded to attack a dummy in front of clients and staff who has to man handle him out of the shop.*
- *Residents observing numerous incidents requiring the attendance of emergency services.*
- *Local residents and businesses being subject to verbal abuse.*
- *Rubbish being thrown out of Star House windows which landed in Royal Star Arcade car park.*

*To help improve the area we would like to know what agencies (including London boroughs) and actions are Maidstone BC working with to reduce anti-social behaviour (including county lines gang activity) that are operating in Maidstone Town Centre which we believe are a contributing factor to what residents and businesses are experiencing which is having a negative impact on health and well-being of residents and businesses?'*

The Chairman responded to the question.

Ms Cleator asked the following supplementary question:

*'Would you be willing to meet virtually with local residents to come up with a solution?'*

The Chairman responded to the question.

The full responses were recorded on the webcast and made available to view on the Maidstone Borough Council website.

To access the webcast recording, please use the link below:

[https://www.youtube.com/watch?v=R2\\_2Olay-7s](https://www.youtube.com/watch?v=R2_2Olay-7s)

135. QUESTIONS FROM MEMBERS TO THE CHAIRMAN

There were two questions from Members to the Chairman.

Question from Councillor Adkinson to the Chairman of the Communities, Housing and Environment Committee:

*'On the 10 September 2018 a questionnaire was sent out to all members of the council asking for an indication of any local sites that would potentially meet the criteria for creation of a Local Nature Reserve. A report was presented to the Heritage, Culture and Leisure Committee for its meeting 6 weeks later on 30 October 2018.*

*Eventually, more than a year after this, a report came to Communities, Housing and Environment Committee on 16 December 2019 recommending that CHE recommends to Policy and Resources Committee that funding and resources be considered to bring the agreed programme for LNRs forward.*

*Everything went very quiet after that. In fact, LNRs vanished from the CHE committee work programme completely. It wasn't until Cllr M Rose asked a question at CHE at its meeting on 5 January 2021 that the issue was resurrected, with the minutes for that meeting noting "It was noted that the Local Nature Reserves Report would be presented to the Policy and Resources Committee, before being presented to the Committee (i.e. CHE), due to the additional funding necessary for the sites."*

*Can the Chairman please let members know which meetings of P&R and then CHE will be receiving the report?'*

The Chairman responded to the question.

Councillor Adkinson asked the following supplementary question:

*'In view of the fact that the Fant wildlife area is oven ready for receiving this status and the funding required is therefore minimal and could possibly be funded from Section 106 monies, can the chairman please confirm that the Fant wildlife area will be given the go ahead and when this will happen?'*

The Chairman responded to the question.

Question from Councillor M Rose to the Chairman of the Communities, Housing and Environment Committee:

*'As MBC have excess of 200 rental properties can I ask if MBC propose an 'In House' housing management strategy rather than using MBC money on an outside property management company?'*

The Chairman responded to the question.

The full responses were recorded on the webcast and made available to view on the Maidstone Borough Council website.

To access the webcast recording, please use the link below:

[https://www.youtube.com/watch?v=R2\\_2Olay-7s](https://www.youtube.com/watch?v=R2_2Olay-7s)

136. COMMITTEE WORK PROGRAMME

**RESOLVED:** That the Committee Work Programme be noted.

137. REPORTS OF OUTSIDE BODIES

**RESOLVED:** That Councillor English be nominated as the Council's representative to the Cutbush and Corral Charity.

138. REFERENCE FROM LICENSING COMMITTEE - DRAFT BUSKING GUIDELINES

The Head of Housing and Community Services introduced the reference that had been considered by both the Licensing Committee and the Economic Regeneration and Leisure Committee. The Council had been approached by local businesses following difficulties with local buskers, and the draft guidelines attached at Appendix 2 to the report were developed as a result. The Business Improvement District (BID) had been involved in the guidelines creation, with the comments received from the public consultation considered and applied to the guidelines.

**RESOLVED:** That the proposed Draft Maidstone Busking Guidelines as set out in Appendix 2 to the report be approved.

139. 3RD QUARTER FINANCIAL UPDATE & PERFORMANCE MONITORING REPORT 2020/21

The Director of Finance and Business Improvement introduced the 3<sup>rd</sup> quarter financial update, stating that whilst Covid-19 had contributed to a significant loss of income experienced by the Council, the Committee was projecting a favourable variance of £471,000.

It was highlighted that amendments had been proposed to crematorium charges following the decision that there should not have been increases to interment fees for residents of the Borough.

The Senior Business Analyst introduced the performance monitoring report, explaining that 8 of the 15 Key Performance Indicators (KPIs) had missed their target mainly due to Covid-19. The KPI for Percentage of unauthorised encampments on Council owned land removed within 5 working days missed its target due to the Community Protection Team being unable to remove the encampment due to Covid-19 restrictions, but

the site had been monitored for anti-social behaviour. Since the data was produced, the unauthorised encampment had moved from Council land.

Several reported cases of Covid-19 within the Depot Team affected the two KPIs related to fly-tipping. It was also highlighted that the Waste Team had experienced delays in receiving data, and so the report had captured data up until October 2020. However, the data which informed percentage of household waste sent for reuse, recycling and composting for November 2020 had been received and was 50.49%. It was stated that updated outcomes would be circulated when data for December 2020 was available.

It was highlighted that the KPIs relating to gas safety certificates and electrical safety certificates were missed due to contractors being refused entry to homes due to Covid-19 concerns. This had since been rectified. Although the KPI for the percentage of successful Relief Duty outcomes was missed, it was highlighted that the outcome was better than the national average.

In response to questions, the Waste Manager confirmed that results of the communications campaign regarding recyclable waste had not yet been evaluated.

**RESOLVED:** That

1. The Revenue position as at the end of Quarter 3 for 2020/21, including the actions being taken or proposed to improve the position, where significant variances had been identified, be noted;
2. The Capital position at the end of Quarter 3 for 2020/21 be noted;
3. The Performance position as at Quarter 3 for 2020/21, including the actions being taken or proposed to improve the position, where significant issues had been identified, be noted; and
4. The revision to the agreed fees for interment, detailed in paragraphs 1.5-1.7 of the report, be noted.

140. MAIDSTONE BOROUGH COUNCIL TENANCY STRATEGY 2021 - 2026

The Head of Housing and Community Services introduced the report, explaining that it was a legal requirement for all housing authorities to publish a tenancy strategy. As Maidstone Borough Council had its own portfolio of temporary accommodation as well as the ambition to deliver its own housing stock, it was felt that the Tenancy Strategy required an update.

In response to questions, the Head of Housing and Community Services explained that the Tenancy Strategy was intended as a high-level document, and not to capture all obligations of landlords and tenants. It would be used by external partners and so would not capture individual

policies. Assurance was given that the Pet Policy previously agreed would remain in place.

**RESOLVED:** That

1. The draft Tenancy Strategy 2020-2026, attached at Appendix 1 to the report, be approved for consultation with local Registered Providers of Social Housing; and
2. A further report be brought back to Committee by the Head of Housing and Community Services, with comments by Registered Providers of Social Housing, to enable the Tenancy Strategy 2021-2026 to be adopted.

141. ASSISTING INELIGIBLE ROUGH SLEEPERS

The Head of Housing and Community Services introduced the report and explained that current housing legislation sets out certain persons not eligible for assistance, which largely relates to immigration status. While Local Housing Authorities (LHAs) were prevented from providing housing support to ineligible EEA nationals, there had been encouragement to ensure accommodation for those who are street homeless during the Covid-19 pandemic. The Rough Sleeper Initiative and Homelessness Flexible grants could not be applied to ineligible persons, however a new grant for the containment of Covid-19 could be used to fund housing assistance.

In response to questions, it was clarified that there was no central policy that could be adopted, and that Maidstone Borough Council would be one of the first LHAs locally to create a document specifically relating to EEA nationals in this period.

Specialist advisors from the Ministry of Housing, Communities and Local Government had been consulted regarding the assistance to ineligible rough sleepers as proposed.

**RESOLVED:** That option 2 set out in the report be adopted.

142. STRATEGIC PLAN – PROPOSED AREAS FOR FOCUS 2021-2026 AND KEY PERFORMANCE INDICATORS FOR COVID-19 RECOVERY

The Policy and Information Manager introduced the report which set out the refreshed areas of focus for the Strategic Plan. The need for resources to be in place was highlighted in order for the Council to respond to the local impact of the pandemic which was reflected in the changes made to the areas of focus for 2021-2026.

The proposed areas of focus relating to the Committee had been drafted in accordance with Member feedback received in the Summer of 2020.

The KPIs had also undergone changes to enable progress towards recovery to be monitored, with amendments made to two KPIs in

response to feedback from the Head of Housing and Community Services; firstly that Reports of Domestic Abuse be amended to Number of Cases where Cause of Homelessness is Domestic Abuse, as the data could then be collected internally rather than relying on partners to submit data. The second proposed amendment was to the frequency of reporting on the Community data set changing from monthly to quarterly, which would match the data return provided to Government.

**RESOLVED:** That

1. The Committee's feedback and recommendations on the proposed refreshed areas of focus for the Council's Strategic Plan for the period 2021-2026, set out in Appendix C to the report, be provided to the Policy and Resources Committee; and
2. The Committee's feedback and recommendations on the proposed Key Performance Indicators for Covid-19 Recovery set out in Appendix D to the report be provided to the Policy and Resources Committee.

143. MAIDSTONE IN BLOOM BOROUGHWIDE COMPETITION 2021

The Parks and Open Spaces Manager introduced the report, explaining that Maidstone Borough Council had been approached by a local business about the Britain In Bloom competition, organised by the Royal Horticultural Society. Maidstone in Bloom presented an opportunity for the Council to encourage people to engage in horticultural, environmental and community-positive projects, and would be coordinated by the local business and a local resident.

The Committee felt that Maidstone in Bloom would be a positive community project.

**RESOLVED:** That

1. An In-Bloom competition be provided for businesses and residents to showcase their talents in floral displays and environmental projects;
2. The opportunity to promote and communicate a positive image for the borough be utilised; and
3. The Council collaborate with a local business as competition co-ordinator and administrator.

144. DURATION OF MEETING

6.40 p.m. to 8.07 p.m.

Note: Due to technical difficulties the meeting commenced at 6.40 p.m.

**2020/21 WORK PROGRAMME**

	Committee	Month	Origin	CLT to clear	Lead	Report Author
Update to Safeguarding Policy	CHE	06-Apr-21	Officer Update		John Littlemore	Hannah Gaston
Housing Standards Enforcement Policy	CHE	06-Apr-21	Officer Update		John Littlemore	Nigel Bucklow
Provision of GP Services and Community Hub Update from the CCG	CHE	06-Apr-21	Cllr Request	No	Alison Broom	Alison Broom
Heather House and Pavilion Update	CHE	06-Apr-21	Officer Update		William Cornall	Andrew Connors
Parks Delivery Plan for Biodiversity	CHE	06-Apr-21	Officer Update	No	Jennifer Shepherd	Andrew Williams
Local Nature Reserves Update Report	CHE	06-Apr-21	Cllr Request	No	William Cornall	Andrew Williams
Refresh of Council Tenancy Strategy	CHE	06-Apr-21	Officer Update		John Littlemore	TBC
Access to Services Review	CHE	06-Apr-21	Officer Update			Orla Sweeney
Anti-Idling Policy	CHE	TBC	Cllr Request		John Littlemore	John Littlemore
Granada House	CHE	TBC	Officer Update		William Cornall	Andrew Connors
Possible Provision of further Council owned G&T Sites	CHE	TBC	Cllr Request		William Cornall	TBC

**COMMUNITIES, HOUSING & ENVIRONMENT COMMITTEE**

**2 March 2021**

**Homelessness Activity During 2020**

<b>Final Decision-Maker</b>	COMMUNITIES, HOUSING & ENVIRONMENT COMMITTEE
<b>Lead Head of Service</b>	William Cornall Director of Regeneration and Place
<b>Lead Officer and Report Author</b>	John Littlemore Head of Housing & Community Services
<b>Classification</b>	Public
<b>Wards affected</b>	All

**Executive Summary**

Homelessness activity has changed in comparison to previous years during the period April 2020 and the end of December 2020. The increase in activity is mainly due to those affected by the lockdown and the Council’s response to assisting single households during the pandemic and over the winter months. It is noted that the steps taken by government to protect tenants in the private rented housing has resulted in a temporary lull in approaches from households in that sector but this has been offset by an increase in applications from family evictions and those needing to leave their homes as a result of domestic abuse or relationship breakdown.

**Purpose of Report**

For noting.

**This report makes the following recommendations to this Committee:**

1. To note the contents of the report.

**Timetable**

<b>Meeting</b>	<b>Date</b>
COMMUNITIES, HOUSING & ENVIRONMENT COMMITTEE	02-03-2021

# Homelessness Activity During 2020

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p><i>The four Strategic Plan objectives are:</i></p> <ul style="list-style-type: none"> <li>• <i>Embracing Growth and Enabling Infrastructure</i></li> <li>• <i>Safe, Clean and Green</i></li> <li>• <i>Homes and Communities</i></li> <li>• <i>A Thriving Place</i></li> </ul>	Head of Housing & Community Services
<b>Cross Cutting Objectives</b>	<p><i>The four cross-cutting objectives are:</i></p> <ul style="list-style-type: none"> <li>• <i>Heritage is Respected</i></li> <li>• <i>Health Inequalities are Addressed and Reduced</i></li> <li>• <i>Deprivation and Social Mobility is Improved</i></li> <li>• <i>Biodiversity and Environmental Sustainability is respected</i></li> </ul>	Head of Housing & Community Services
<b>Risk Management</b>	<ul style="list-style-type: none"> <li>• <i>Homelessness is identified as a high-level risk on the Council's strategic risk register.</i></li> </ul>	Head of Housing & Community Services
<b>Financial</b>	<ul style="list-style-type: none"> <li>• <i>The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.</i></li> </ul>	Head of Housing & Community Services
<b>Staffing</b>	<ul style="list-style-type: none"> <li>• <i>We will deliver the recommendations with our current staffing.</i></li> </ul>	Head of Housing & Community Services
<b>Legal</b>	<ul style="list-style-type: none"> <li>• <i>Report is for noting only.</i></li> </ul>	Head of Housing & Community Services

<b>Privacy and Data Protection</b>	<ul style="list-style-type: none"> <li>• <i>Report is for noting only</i></li> </ul>	Head of Housing & Community Services
<b>Equalities</b>	<ul style="list-style-type: none"> <li>• <i>The recommendations do not propose a change in service therefore will not require an equalities impact assessment</i></li> </ul>	Head of Housing & Community Services
<b>Public Health</b>	<ul style="list-style-type: none"> <li>• <i>In accepting the recommendations the Council would be fulfilling the requirements of the Health Inequalities Plan</i></li> </ul>	Head of Housing & Community Services
<b>Crime and Disorder</b>	<ul style="list-style-type: none"> <li>• <i>Report is for noting only</i></li> </ul>	Head of Housing & Community Services
<b>Procurement</b>	<ul style="list-style-type: none"> <li>• <i>Not applicable</i></li> </ul>	Head of Housing & Community Services

## 2. INTRODUCTION AND BACKGROUND

- 2.1 Despite long periods of lockdown and the moratorium on possession proceedings, the Housing Service has experienced overall demand for our services that is fairly consistent with previous years.
- 2.2 Persons may present to the Housing Service at either Prevention or Relief stage. Prevention can be summarised as those who are threatened with homelessness and the thrust of the Homelessness Prevention Act is to assist people in being able to remain in their homes. The Relief stage is entered if the threat of homelessness cannot be prevented; or may occur when the person presents to the Council as not having any accommodation at the time.
- 2.3 Table 1 below sets out the number of new approaches to the Council over the past three years. The 2020/21 figure is for the first 3 quarters ending December 2020. The figure in brackets is an estimate for the whole year based on an average of the year to date.

Table 1.

<b>Description</b>	<b>2018-2019</b>	<b>2019-2020</b>	<b>2020 - 2021</b>
Number of new cases	2267	2288	1854 (2225)
Number closed as advice only	1049	922	805 (966)
Number of homeless applications	1200	1354	967 (1160)

- 2.4 Unsurprisingly, the number of people seeking housing advice has grown compared to the previous year, which is a reflection on the financial hardship that has been endured during the various lockdowns. However, through a combination of early advice and help together with the moratorium on possession proceedings, the number of people needing to go on to make a homelessness application has reduced from the previous year.
- 2.5 The above is also reflected in the those assisted under the Homelessness Reduction Act, which centres on our ability to prevent homelessness. Prevention can be achieved through a range of measures including negotiating with families and landlords, so that the person can remain in their current housing for at least 6 months. Table 2 below demonstrates the increasing success of the Housing Advice Team in preventing homelessness.
- 2.6 For those applicants who we are unable to prevent becoming homeless, they are more likely to need assistance through the traditional homelessness route, which has resulted in an increase in the number of main duty cases.

Table 2.

<b>Description</b>	<b>2018-2019</b>	<b>2019-2020</b>	<b>2020 - 2021</b>
Number of successful preventions	191	249	335 (402)
Number of successful relief duties	130	299	176 (211)
Number of main duty cases	89	78	79 (95)

- 2.7 To provide an indication of the reasons why a household may be threatened with homelessness the following table is a breakdown of the main causes of homelessness amongst Prevention cases over the last three years:

Table 3.

<b>Description</b>	<b>2018-2019</b>	<b>2019-2020</b>	<b>2020 - 2021</b>
Loss of private rented	151	163	41 (55)
Family/friends no longer accommodating	117	133	146 (195)
Non-violent relationship breakdown	32	27	39 (52)
Domestic abuse	17	35	66 (88)
Loss of social rented	68	53	18 (36)

- 2.8 The moratorium on possession proceedings has had a dramatic impact on the number of cases whose homelessness is due to their tenancy ending in both the private and social housing sectors. Since the end of March 2020 there have been various regulatory edicts that have extended the notice period that landlords must give their tenants; stays on possession hearings in the Courts; and a halt to eviction warrants being executed by bailiffs.
- 2.9 However, this pause in possession proceedings is only temporary and at some point in the future landlords will once again be able to exercise their ability to regain possession of their properties, which is likely to greatly increase the number of persons approaching the Council for help with their housing. Although the County Courts have resumed hearing cases, these are being prioritised to the most serious e.g. arrears of more than 6 months, significant anti-social behaviour. We anticipate it will take some months for the Courts to work through the current backlog of listings and for the impact to be seen in homelessness applications.
- 2.10 Unfortunately, the reduction in rented homeless cases has been offset by a significant increase in persons becoming homeless as a result of family and friends no longer willing to accommodate them; and relationship breakdowns – both non-violent and as a result of domestic abuse.
- 2.11 In normal circumstances, if the Council cannot prevent a household from becoming homeless the Council may be under a duty to secure temporary accommodation whilst it makes further enquiries. A local housing authority would normally owe this duty to households that meet the statutory definition of ‘priority need’. This might be due the households having a dependent child or a household member who is pregnant. These are referred to as Part 7 cases in Table 4 below.
- 2.12 The Housing Service has been able to assist a large number of people, so that in spite of the increase in approaches the number of Part 7 cases in temporary accommodation remains lower than in 2018/19. Table 4 below sets out a snapshot at the end of January in each year.

Table 4.

<b>Temporary accommodation snapshot</b>	<b>2018-2019</b>	<b>2019-2020</b>	<b>2020 - 2021</b>
Number of Part 7 cases	118	97	105
Number of RSI cases	-	28	55
Total number accommodated	118	125	160

- 2.13 During the pandemic the government urged local housing authorities to accommodate all persons who were homeless. Maidstone Council was in a positive position at the time, largely due to the excellent impact of the street homeless Outreach Service. Very few people were street homeless in Maidstone at that time, as most were already being assisted through the Rough Sleeper Initiative (RSI).
- 2.14 The number of people being accommodated through the RSI project has grown over the last year and the figure in Table 4 includes those who have been assisted through the Winter Provision and Severe Weather Emergency

Protocol (SWEP). Due to the reduction in the number of street homeless in Maidstone and the resources available through the purchase of our own accommodation, it was not necessary to operate a Winter Shelter this year. In addition, Covid19 restrictions in the use of shared bedding areas, normally a feature of Winter Shelters, would have made such an approach undesirable.

2.15 The increase in approaches came not from those who were actually street homeless but people who were in precarious housing situations e.g. mainly sofa-surfing. The nervousness of hosting families caused by the pandemic has resulted in an increased number of sofa-surfers losing their ability to move from one accommodation to another and ending up in making an approach to the Council. An exit strategy is being developed to help this cohort move from temporary accommodation into more settled housing.

2.16 The cost of providing temporary accommodation has largely been mitigated by the Council's temporary accommodation strategy, including the investment in its own accommodation. The Council has also been successful in applying for housing grants that will be able to offset the additional costs of providing accommodation to single households as part of the Winter Provision and SWEP.

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### **3. AVAILABLE OPTIONS**

3.1 To note the report.

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### **4. RISK**

4.1 The report is for noting. Homelessness remains a high-risk area on the corporate risk register.

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### **5. REPORT APPENDICES**

- None

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### **6. BACKGROUND PAPERS**

- Homelessness and Rough Sleeper Strategy 2019-2024

**Communities, Housing and Environment Committee**

**2 March 2021**

**Re-procurement of the Council's Waste & Recycling Service**

<b>Final Decision-Maker</b>	Communities, Housing and Environment Committee
<b>Lead Head of Service</b>	William Cornall, Director of Regeneration and Place
<b>Lead Officer and Report Author</b>	Graham Gosden, Waste Manager
<b>Classification</b>	Public
<b>Wards affected</b>	All

**Executive Summary**

The report allows Members the opportunity to consider the options in providing the waste and recycling collection services beyond the end of the current contract that ends in October 2023.

There are three areas for consideration and decision.

1. Preferred recycling collection specification.
2. Alternatives for service delivery approach; Direct Labour Organisation, (DLO), Local Authority Trading Company (LATC) or by an external contractor.
3. To remain part of the mid-Kent partnership alongside, Kent County Council, Ashford, and Swale Borough Councils, or pursue an independent approach.

Officers would refer Members to an earlier options report submitted (30 June 2019) where the initial back-ground considerations to the future of waste services were highlighted, and the subsequent Member briefing.

Since that report, our Consultants have continued to work within the partnership and in negotiation with Kent County Council. Summary opinions of the financial and practical implications of each decision are provided at section 2 and 3, with the full report provided as background papers in section 9.

**Purpose of Report**

For decision.

**This report recommends that the Committee**

1. Agree to continue to collect its recycling as a commingled stream.
2. Agree to retain street cleansing services as an In-House service and re-tender the waste collection contract in preference to developing either a Direct Labour Organisation or Local Authority Training Company.
3. Agree to remain within the Mid Kent Waste Partnership.

**Timetable**

Meeting	Date
Corporate Leadership Team	16/02/2021
Communities, Housing and Environment Committee	02/03/2021

**Waste Services Update****1. CROSS-CUTTING ISSUES AND IMPLICATIONS**

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> <li>• Embracing Growth and Enabling Infrastructure</li> <li>• Safe, Clean and Green</li> <li>• Homes and Communities</li> <li>• A Thriving Place</li> </ul> <p>The report looks to confirm the recycling specification and the procurement method to be used to provide future public services.</p> <p>Waste and recycling services are a core service critical to the Safe Clean and Green agenda, supporting local communities enabling a thriving economy.</p>	Waste Manager
<b>Cross Cutting Objectives</b>	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> <li>• Heritage is Respected</li> <li>• Health Inequalities are Addressed and Reduced</li> <li>• Deprivation and Social Mobility is Improved</li> <li>• Biodiversity and Environmental Sustainability is respected</li> </ul>	Waste Manager

	Recycling collections are a critical part of the Councils contribution to managing environmental sustainability and reducing overall carbon output. The proposed specification would maintain that contribution and allow residents the opportunity to recycle most of their domestic waste in a simple manner.	
<b>Risk Management</b>	The waste & recycling collection services are a statutory requirement placed on the Authority. This report seeks confirmation of the Members preferred routes in providing them post 2023. Decisions on this report will allow Officers to proceed with that process, so ensuring that services are commissioned within required timeframe.	Head of Environment and Public Realm
<b>Financial</b>	Beyond 2023 the final financial implications will vary according to decision and any future contractors' tender price (should that be the method selected). The consultant's opinions regarding the cost implications of the various options are detailed within the body of the report and support the recommendations.	Section 151 Officer & Finance Team
<b>Staffing</b>	Adopting a DLO type approach would increase the Council's staffing headcount.	Director of Regeneration and Place
<b>Legal</b>	No legal implications.	Contracts and Commissioning Team Leader
<b>Privacy and Data Protection</b>	Data protection will be considered as part of the procurement and tender process and contract arrangements.	Policy and Information Team
<b>Equalities</b>	The existing standards to ensure services are accessible to all residents will remain in place, regardless of the actual service provider. These include assisted collections for residents that require that support.	Equalities and Corporate Policy Officer
<b>Public Health</b>	High quality waste collection services are a prerequisite to maintaining the wider public health. Provided the collection regime specified is to the level required by the Environmental Protection Act 1990 – no impacts are expected.	Director of Regeneration and Place

<b>Crime and Disorder</b>	No impact identified.	Waste Manager
<b>Procurement</b>	<p>Waste &amp; Recycling are critical public services. The actual procurement route will depend on the Members decisions on this report. However, we have started some preparatory work with a draft procurement plan as attached (Appendix ONE) and several conversations have taken place concerning:</p> <p>The possible future relationship with KCC and improving the specification in some targeted areas. These have been reflected within this report.</p> <p>A key part of this decision is the enabling payment received from the WDA and specification to be agreed with that.</p> <p>It is important to note here that MBC are responsible for collecting the material, however the responsibility for ongoing treatment lies with Kent County Council. To maintain services across the County there must be some level of similarity between collection Authorities. There are two main streaming options as detailed within the body of the report and these lead to a critical decision regarding the future collection method.</p> <p>The Mid-Kent legal team will be involved in checking the conditions of contract regardless of service vehicle selected.</p> <p>Procurement responsibility is subject to this decision – with a partnership approach being one option, should Members decide to continue with the current partnership arrangements.</p>	Waste Manager

## **2. INTRODUCTION AND BACKGROUND**

- 2.1 In 2013, Maidstone Borough Council entered into partnership with neighbouring authorities Ashford and Swale Borough Councils, Kent County Council and Biffa Municipal Ltd to deliver a Mid Kent Waste Contract. This provided consistency of service across the three Boroughs, delivered significant cost savings and improved recycling rates. The Partnership was supported by Kent County Council as the Waste Disposal Authority through reinvestment of disposal savings brought about by the increased recycling rates, into the services.
- 2.2 The Councils Inter Authority Agreement (IAA) and the contract with Biffa will both terminate in October 2023. This report considers options for

commissioning services beyond that date. The key elements for decision are as follows:

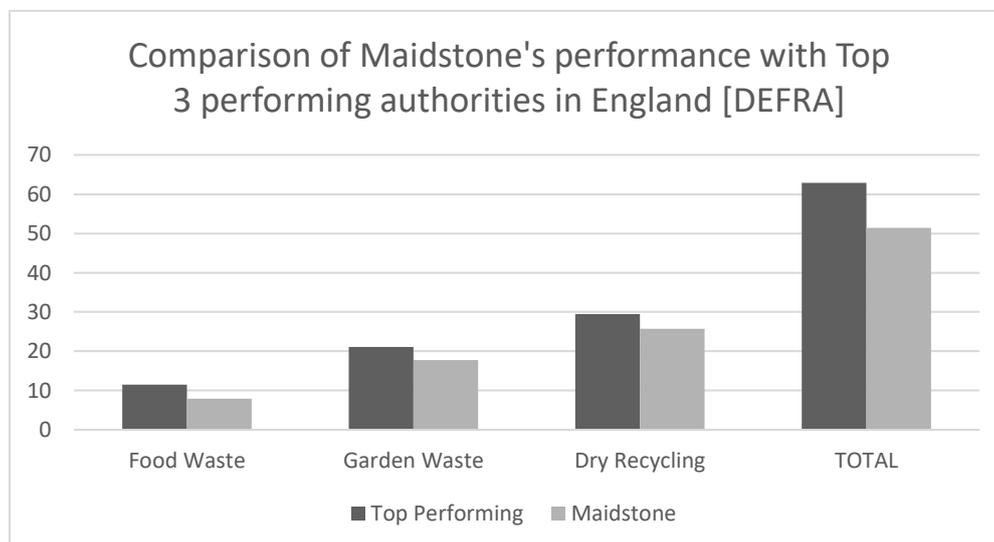
- Consideration of any changes to the Councils collection methodology;
- How best to deliver future waste services – Contracted Out, Direct Labour Organisation or Local Authority Trading Company.
- Whether to continue working in partnership with Ashford Borough Council and Swale Borough Council.

## 2.3 **Future Collection Methodology**

2.3.1 All the Mid Kent Boroughs have seen considerable improvement in recycling performance since the current contract commenced in 2013. The joint contract delivered the step change in performance by collecting waste as follows:

- a weekly food waste collection service,
- a fortnightly fully commingled collection, where all recycling is collected within a wheeled bin,
- a fortnightly residual collection service to encourage residents to recycle, and
- a charged for fortnightly garden waste service.

2.3.2 As a result of the change Maidstone achieved the 2020 National Target of 50% (set by the EU for the UK to achieve in the calendar year to 31 December 2019). However, with a national target of 65% recycling by 2035 as set out in the Government's Waste Strategy, Maidstone has some room for improvement in the next 15 years. With waste contracts typically lasting 7/8 years there is time to do this. It is worth noting however, the three top performing authorities in England - South Oxfordshire, Three Rivers and Vale of White Horse – are all achieving over 62% with the same collection method as Mid Kent. Whilst some of that difference is accounted for by garden waste both food waste and dry recycling rates are also higher. The introduction of better IT systems is seen as a key driver in driving up performance with real time reporting from crews available to call centres, more data to identify low set out/poor performing areas and improved reporting on contamination issues.



2.3.3 Kent County Council, as the disposal authority, recently advised that its preference was for Boroughs to collect recyclables as a twin-stream, whereby paper and cardboard are collected separately to the other recycling, plastic bottles and tubs, glass, and cans. This system is currently operated in East and South West Kent and was considered by Maidstone in 2013. At that time, it was discounted as commingled collection services:

- a) generally achieved higher recycling rates than twin stream collections,
- b) were easier for the residents to accommodate and use,
- c) and were cheaper to provide than twin stream collections.

2.3.3 This report examines the impact of changing commingled to split stream collections.

## **2.4 Waste Service Delivery**

2.4.1 As referenced in the June 2020 Report whilst the waste collection service is currently outsourced to a private company, this is not the only delivery option. There are four options for Maidstone to consider for the provision of waste and street cleansing services post 2023:

- Contracted waste collection and in-house street cleansing service (as is)
- Contracted waste and street cleansing service
- In-house waste and street cleansing service (DLO)
- Local Authority Trading Company to operate waste and street cleansing services (LATCo)

2.4.2 This report looks at the modelled cost differences arising from the differing approaches and the member feedback derived from member briefing sessions.

## **2.5 The Mid Kent Waste Partnership**

2.5.1 Since 2013, Maidstone Borough Council has been part of the Mid Kent Partnership with Ashford and Swale Borough Councils. This followed the creation of the East Kent Partnership and has since been followed by South West Kent.

2.5.2 The Council will need to decide whether to continue as part of Mid Kent or to consider working alone in future or partnering with other authorities. This will also have a bearing on how the future relationship with Kent County Council as the disposal authority develops.

## **3. AVAILABLE OPTIONS**

### **3.1 Future Collection Methodology**

3.1.1 A cost review undertaken by Waste Consulting LLP in 2020 identified that collection service costs were expected to rise with the next contract by nearly

£600k per annum at current rates. However, costs would rise by a further £293kp.a. if the Council changed to split-stream collections as detailed in the table below:

Description	Contracted Out	
	Comingled	Twin Stream
Collection Operational Staff Cost	£1,392,069	£1,541,226
Collection Management Cost	£162,000	£162,000
Total Collection Staff Cost	£1,554,069	£1,703,226
Fleet Cost	£1,357,150	£1,400,900
Collection Equipment Cost	£231,977	£306,580
<b>Sub Total Collection Costs</b>	<b>£3,143,195</b>	<b>£3,410,706</b>
Depot	£95,000	£95,000
Corporate Overhead/LA Corporate Overhead	£209,822	£221,860
Profit Margin	£243,626	£257,604
<b>Total Contract Cost</b>	<b>£3,691,644</b>	<b>£3,985,170</b>
<b>Difference in Cost</b>		<b>£293,526</b>

The change to twin streaming would require households to be provided with additional containment, commonly a lidded recycling box to individual households or separate wheeled containers to houses in multiple occupation and flats. The cost to provide these is estimated at £302k.

- 3.1.2 Across the Mid Kent Partnership costs would rise by £760k p.a. to implement a twin stream collection. As the primary benefit of twin streaming is a reduction in waste disposal process costs the partnership approached KCC to establish whether the rise in collection costs could be offset against disposal savings. KCC has advised that if Mid Kent chose to go to twin stream then it would recommend to KCC Members sharing financial benefits equally between our Authorities, the initial figure was just over £180k per Borough plus any other haulage savings and increases realised by additional recycling. The offer however is subject to movement in processing costs and material prices and could not be guaranteed. At the time of writing KCC have advised that if the Boroughs choose to retain commingled collections then existing enabling payments would be retained. It is understood that this would be coupled with a sharing mechanism where disposal benefits arising from increasing recycling rates above that achieved at the end of the current IAA would be shared with the Boroughs. This is not finalised yet, and the benefits very much determined by future markets rates for haulage, processing, and material values. This would be formalised in a new IAA in the coming months prior to any potential procurement.
- 3.1.3 At the time of writing KCC was undertaking a soft market investigation into the provision of Material Recycling Facilities for Kent which would include Commingled and Twin Stream collection methodologies. KCC would continue to engage with the Mid Kent partners as the results of this investigation were made available.
- 3.1.4 Feedback from Members at the time of the first report and during subsequent Member engagement sessions highlighted that the current system is working well and expressed concern that changing to twin stream would be:

- problematic for many households with limited storage capacity,
- potentially give rise to littering issues from unlidged or overfull paper boxes,
- be more prone to contamination if residents mixed the waste streams particularly in flatted properties, and
- could result in a drop in recycling performance at a time when the Borough was looking to increase performance.

## 3.2 Waste Service Delivery

3.2.1 To assess the impact of differing service delivery methods models of service costs were developed using current resource data to ensure they accurately captured the Authorities likely contract costs. The modelling flagged that the Authorities existing resource costs exceeded its contract costs and as a consequence Maidstone's service costs could reasonably be expected to rise by an additional £626k per year if they continued as a contracted-out service in accordance with the current specification. By 2023 this would increase further as it would need to incorporate property growth and indexation to reflect changes to resource costs i.e., fuel prices, salary costs, CPI and could reasonably have grown to £670k.

Service	2020 Estimated Cost ex Income £	2023 Estimated Cost ex Income £
Current Service Cost (Existing Contracted Collection/DLO Streets)	4,490,000	4,770,000
Forecast Service Cost (Newly Contracted Out Collection + DLO Streets)	5,116,153	5,435,200
Difference	626,153	665,200

Therefore, without making any changes to the services, performance standards or delivery method, the Council will need to budget a significant increase in collection costs.

3.2.2 The modelling considered the comparative costs for delivering the service as Mixed Economy/Fully Contracted out, DLO or a LATCo. The table below summarises the different model outcomes:

Service	Waste	Cleansing	Total
Contacted out Collection/DSO Streets	£3,560,956	£1,555,530	£5,116,486
Fully Contracted Out	£3,515,956	£1,600,197	£5,116,153
DSO	£3,329,327	£1,495,182	£4,824,509
LATCO	£3,540,616	£1,599,533	£5,140,149

3.2.3 The table below details some of the advantages and disadvantages associated with the delivery model:

Delivery Model	Advantages	Disadvantages
Mixed Economy View Collection contacted out/DLO	<ul style="list-style-type: none"> <li>- Flexible street cleansing service</li> <li>- Fully supported waste collection service i.e., national back-up/Performance Management systems</li> </ul>	<ul style="list-style-type: none"> <li>- Higher pension costs for cleansing staff</li> </ul>

Streets	- No competition between Waste and Street Cleansing for resources	
Fully Contracted Out	- More resilience due to the vast corporate and national resources Performance Management systems - greater support and knowledge e.g., H&S - reduced HR requirement	- Low flexibility - Hidden or additional costs - Lower staff morale - Staff terms and conditions - Waste likely to take priority over street cleansing for resources
In-house Collection and Cleansing (DLO)	- Fully flexible service - Higher level of staff buy-in / morale	- High pension costs for Collection staff - Highest overall cost - Less resilience Waste likely to take priority over street cleansing for resources
LATCo Collection and Cleansing	- Council retains full control - Cheapest option - Flexible service	- Possibility of lower staff morale due to different terms and conditions to Council employees - Less resilience Waste likely to take priority over street cleansing for resources

3.2.4 The table shows the LATCo has the lowest cost for the following primary reasons:

- it retains the lower cost pension provision common in the private sector (c.3%) compared to the typical LGPS Provision of 18%+ so is cheaper than the DLO by £315k; and
- it does not have the profit margin and contractors overhead included within the contracted-out view so is £295k cheaper than contracting out.

There are some additional costs in relation to the LATCo in respect of its management and governance structure and it would not have the buying power of a major waste service provider but these differences are included within the modelling assessment.

3.2.5 However, this view is predicated on offering the minimum pension contribution and reviews of some established LATCo's has indicated that many have offered higher pension contributions than the minimum in order to improve staff morale and buy in to the new LATCo arrangements. In these circumstances the savings differential to both In-House and contracting out is quickly eroded. It is worth noting that given the existing terms and conditions for In House streets employees would transfer to a LATCO or a contracted-out service, there would be no reduction in streets service cost to be gained in the short term as pension provision would be protected.

3.2.6 The feedback from members consultation on the options presented was as follows:

- Members highlighted the ability of the current contractor to respond to the pandemic and the national expertise that could be drawn on to facilitate that,
- Concern that there were significant risks associated with both procuring the right fleet and ensuring services were efficiently operated that could also result in substantial cost increases,
- That they would not want to be offering the lowest pension provision within a Collection LATCo,
- Overall that the level of saving was low and possibly non-existent for the risk that the Council would be taking on.

### Cleansing In or Out?

3.2.7 An internal review of street cleansing was carried out in 2019 which included speaking with residents, businesses, Councillors and Parish Councils. The feedback was very mixed and in some places contradictory. Whilst most residents described their local area as clean, this varied significantly by area along with residents' expectations of what is 'clean'. Residents main areas of concern were littering and street sweeping as well as maintenance of grass verges. However, Members' and Parish Council concerns were primarily focused on fly tipping, although only 13% of residents agreed with this.

	<b>Advantages</b>	<b>Disadvantages</b>
Cleansing operated alongside Waste Collection	<ul style="list-style-type: none"> <li>- reduced service management costs</li> <li>- Ability to have greater coordination between services</li> <li>- Reduced vehicle maintenance costs due to increased scale</li> <li>- Multi-tasking / skilling of staff</li> </ul>	<ul style="list-style-type: none"> <li>- Less flexibility</li> <li>- Waste likely to take priority over street cleansing for resources</li> <li>- Cleansing standards often compromised due to focus on waste collection</li> </ul>
Cleansing remain separate to Waste Collection	<ul style="list-style-type: none"> <li>- No competition for resources</li> <li>- Fully flexible and responsive service</li> <li>- Higher Staff morale</li> </ul>	<ul style="list-style-type: none"> <li>- Usually higher cost</li> <li>- Services operate separately so low levels of coordination</li> </ul>

3.2.8 The cleansing review concludes that further investment may be needed in the service to improve resident perception, as well as improving the visibility of the service through published schedules.

3.2.9 Feedback from the member engagement on the issue of street cleansing indicated a preference for retaining the service as a Direct Labour Organisation on the basis that it provided the Authority with flexibility to revise service provision to reflect Council priorities and budget availability. This would be more difficult as a contracted-out service and there was little or no financial benefit to changing to a LATCo for streets in the short term. The retention of the In-House Service would also give the authority a mixed economy in waste service provision which provides flexibility in streets services and contracts out the risks of operating collection services.

### 3.3 The Mid Kent Waste Partnership

3.3.1 The table below highlights the key advantages and disadvantages associated with each option:

	<b>Advantages</b>	<b>Disadvantages</b>
<b>Mid Kent Partnership</b>	<ul style="list-style-type: none"> <li>- More attractive to potential bidders</li> <li>- more competitive procurement process and lower price</li> <li>- Strong partnership already developed</li> <li>- Provides greater support to each authority</li> <li>- Opportunities to have combined client team to reduce costs</li> <li>- Cross-boundary services offer cost savings</li> <li>- Greater collective weight to renegotiate with KCC on the Inter-Authority Agreement</li> </ul>	<ul style="list-style-type: none"> <li>- Administration is more complex</li> <li>- Requires partnership to maintain consistency which can make decision-making process more difficult</li> </ul>
<b>Alternative Authorities</b>	<ul style="list-style-type: none"> <li>- Provides support to partnering authorities</li> <li>- Procurement savings from re-tending joint contract</li> </ul>	<ul style="list-style-type: none"> <li>- Very few authorities in Kent not already in Partnership or contract</li> <li>- Requires close geography to generate cost savings</li> <li>- Takes time to develop working relationship</li> </ul>
<b>Single Authority</b>	<ul style="list-style-type: none"> <li>- Independency, ability to make quicker decisions</li> <li>- Able to focus solely on Maidstone's objectives</li> </ul>	<ul style="list-style-type: none"> <li>- Less support particularly in times of disagreement with contractor</li> <li>- Higher procurement and contract cost due to overheads not being shared</li> </ul>

3.3.2 Feedback from member engagement sessions was supportive of remaining within the Mid Kent Partnership. The breadth of the Partnership was better placed to engage with KCC to develop a new cost sharing model. The partners were also better able to argue their case for retaining commingled collections. They would also be jointly able to supply a considerable and consistent recycle stream to KCC enabling it to get better rates for material processing costs and potentially share the benefits with the partners.

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## **4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS**

### **4.1 Future Collection Methodology Recommendation:**

Option 1 - It is recommended that the Authority continue to collect its recycling as a commingled stream and investigate ways in which:

- a) current performance could be enhanced through better use of real time IT solutions.
- b) the carbon footprint of the service can be reduced to help the Council meet its Carbon commitment.

This is recommended as it will:

- Build on the success of the existing service,
- Keep collection service simple for residents to use,
- Maximise the quantity of material captured,
- Not require additional containerisation,
- Provide a secure means of recycle containment protecting the street environment,
- be compliant with the one of the three WRAP collection methodologies proposed within their consistency report and
- the alternative would cost an additional £290k of collection costs on top of what is already expected substantial increase in service cost with no guarantee that it will be offset by disposal savings from KCC.

The alternative would be to introduce a twin stream recycling regime.

### **4.2 Waste Service Delivery Recommendation**

It is recommended that the Authority retains street cleansing services as a Direct Labour Organisation and re-tenders the waste collection contract in preference to developing either a DLO or LATCo as this will:

- Minimise the Authorities exposure to financial risks associated with operating a waste collection service.
- Provides flexibility in the management of streets services to respond to changing service priorities and financial pressures.
- Provides a robust performance framework in which collection service standards can be driven.
- Enables the Authority to utilise the advanced performance software that contractors can bring to the collection service.

- Draw on the contractor's expertise to introduce effective carbon reducing measures and bare risks in respect of fleet procurement.

The alternatives would be to pursue either a DLO or LATco for waste collection.

#### 4.3 Mid Kent Waste Partnership

It is recommended that the Authority remains within the Mid Kent Partnership as it will:

- Be more attractive to bidders in the waste service marketplace in a three Borough contract, encouraging more competition and lower pricing,
- Provide the Authority with a stronger negotiating position with KCC to retain commingled collections and enable KCC to secure better processing/haulage costs,
- Allow any future service provider access to a wider support network,
- Permit some advantages of scale to be applied across the service, for the benefit of all Authorities involved.

The alternative would be to pursue a new service delivery arrangement in isolation from Ashford Borough Council and Swale Borough Council. There are no other Council consortiums that Maidstone could join at the present time.

## 5 RISK

- 5.1 Costs could well be even higher with changes in pay rates, inflation on fuel costs, growth in waste tonnages and higher risk awareness arising from the current pandemic.
- 5.2 The collection methodology assumes KCC will be able to secure a local market for commingled recycling. KCC has indicated that arrangements with current contractors will come to an end and new arrangements will need to be secured. This should be addressed within a new Inter Authority Agreement with KCC, but this has not yet been finalised.
- 5.3 The Government is also out to consultation on a range of changes in waste policy which could impact on local authority collection services including the Deposit Return Scheme. A commingled collection stream as seen as more resilient to changes in waste presentation by residents than twin stream and multi stream collections.
- 5.4 Improvements in the waste industry to reduce carbon emissions are still being developed and relatively few electric collection vehicles are available. Those that are available are very expensive and have not been in operation for long and their lifespan is not tested.
- 5.5 The contractor operates the collection service from the Councils depot at Bircholt Road. The depot has limited room for expansion and any significant changes in fleet requirement is likely to exceed the available space.

## **6 CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 This report follows on from the original options report as presented 30<sup>th</sup> June 2019. On that occasion Members considered the initial views and instructed officers to undertake a workshop to explore the options in greater detail. This was carried out on 1 September 2020. The views and discussions obtained through this workshop and the initial report have been incorporated into the recommendations within this report.
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## **7 NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 Officers will advise the other partners within the Mid Kent Waste Partnership of this decision and take that relationship forward in accordance with Members wishes.
- 7.2 The dry mix collection specification will be confirmed or amended as decided, prior to obtaining costs/tenders for future services.
- 7.3 Officers will seek to obtain formal prices/costs/tenders for the provision of future services via the selected method. It is also suggested that Officers provide a quarterly update on progress to Members for their information.
- 7.4 In the event of members agreement to re-tendering the collection service ABC will lead on Procurement and the legal lead will be Mid Kent Legal Services (i.e., MBC & SBC).
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## **8 REPORT APPENDICES**

- 8.1 **Appendix 1** - Waste and Street Cleansing – Future Provision
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## **9 BACKGROUND PAPERS**

- 9.1 None.

**Communities, Housing and  
Environment Committee**
**Tuesday 30 June  
2020**
**Waste and Street Cleansing – Future Provision**

<b>Final Decision-Maker</b>	Communities, Housing and Environment Committee
<b>Lead Head of Service</b>	William Cornall, Director of Regeneration and Place
<b>Lead Officer and Report Author</b>	Jennifer Shepherd, Head of Environment and Public Realm
<b>Classification</b>	Public
<b>Wards affected</b>	All Wards

**Executive Summary**

The current Mid Kent Waste Contract is due to end in October 2023 and therefore work is due to start on the preparation for the new contract. The Mid Kent partner authorities (Ashford, Maidstone and Swale) have started exploring the future opportunities to deliver this service along with the street cleansing service which is already outsourced in the other authorities.

This report outlines the initial considerations and potential cost implications for delivering one or both services post 2023. The report is intended to provide the Committee with an early indication of the options available before further discussion, workshops and finally decisions are taken about how the services will be delivered and what they will look like.

**Purpose of Report**

Decision

**This report makes the following recommendations to this Committee:**

1. that the Committee agree the draft objectives, as set out in paragraph 1.9 so they can form the foundation of the future decision-making process;
2. That the four key areas for decision are noted;
3. That the draft timetable for decisions and implementation as set out in paragraph 1.27 is noted.

**Timetable**

<b>Meeting</b>	<b>Date</b>
Corporate Leadership Team	Tuesday 16 June 2020
Communities, Housing and Environment Committee	Tuesday 30 June 2020

# Waste and Street Cleansing – Future Provision

## 1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
<b>Impact on Corporate Priorities</b>	<p><i>The four Strategic Plan objectives are:</i></p> <ul style="list-style-type: none"> <li>• <i>Embracing Growth and Enabling Infrastructure</i></li> <li>• <i>Safe, Clean and Green</i></li> <li>• <i>Homes and Communities</i></li> <li>• <i>A Thriving Place</i></li> </ul> <p>The future waste and street cleansing provision will be designed to support the <i>Safe, Clean and Green</i> priority. The purpose of this report is to highlight the initial findings and options from the modelling of future delivery methods including likely cost implications. These will then be considered in the future by the Council when deciding how to provide the services post 2023, when the current waste contract ends.</p>	Head of Environment and Public Realm
<b>Cross Cutting Objectives</b>	<p><i>The four cross-cutting objectives are:</i></p> <ul style="list-style-type: none"> <li>• <i>Heritage is Respected</i></li> <li>• <i>Health Inequalities are Addressed and Reduced</i></li> <li>• <i>Deprivation and Social Mobility is Improved</i></li> <li>• <i>Biodiversity and Environmental Sustainability is respected</i></li> </ul> <p>The future service provision will ensure that environmental sustainability is a key focus and all opportunities to reduce our carbon impact will be explored and where possible delivered including considering alternative fuels and maximising recycling quality.</p>	Head of Environment and Public Realm
<b>Risk Management</b>	<p>A full risk assessment of any future changes to the service or delivery model will be carried out in order to inform the decision-making process.</p>	Head of Environment and Public Realm

	This report is intended to highlight the considerations required	
<b>Financial</b>	This report outlines the likely increased cost for the provision of the waste and street cleansing services post 2023. An increase in contract cost has been assumed as part of the Council’s Medium Term Financial Strategy. This report outlines the start of a process to consider the options for the waste and street cleansing services post 2023, which will enable the Council to consider the prospective cost implications for future decisions.	Section 151 Officer & Finance Manager
<b>Staffing</b>	This report outlines several options available to the Council for the future provision of the waste and street cleansing service. At this time further exploration of the options can be carried out using the available staffing resources.	Head of Environment and Public Realm
<b>Legal</b>	Accepting the recommendations will fulfil the Council’s duties under the Environmental Protection Act 1990. Failure to accept the recommendations without agreeing suitable alternatives may place the Council in breach of the Environmental Protection Act 1990.  Acting on the recommendations is within the Council’s powers as set out in Part 2.2.3 of the Constitution.	Team Leader, Contract and Commissioning
<b>Privacy and Data Protection</b>	This report will not impact the personal data processed by the Council.	Policy and Information Team
<b>Equalities</b>	A full Equalities Impact Assessment will be incorporated into the decision-making process for determining	Head of Environment and Public Realm
<b>Public Health</b>	This report is intended to provide a high-level overview of the possible options for delivering the waste and street cleansing services post 2023. Providing a high-quality refuse, recycling and street cleansing service will support public health objectives through the delivery of an attractive environment.	Head of Environment and Public Realm
<b>Crime and Disorder</b>	Providing a clean environment which is free from litter and graffiti is known to also contribute to how ‘safe’ an area feels to	Head of Environment and Public

	residents.	Realm
<b>Procurement</b>	At this stage, a commissioning exercise is underway to identify the most effective method of delivering the services post 2023. Should the contract be retendered, a full procurement process would be undertaken in line with Contract Procurement Rules.	Head of Environment and Public Realm

## 2. INTRODUCTION AND BACKGROUND

- 1.1 In 2013, Maidstone Borough Council entered into partnership with neighbouring authorities Ashford and Swale Borough Councils, Kent County Council and Biffa Municipal Ltd to deliver a Mid Kent Waste Contract. This provided consistency of service across the three Boroughs, delivered significant cost savings and improved recycling rates.
- 1.2 The Partnership was supported by Kent County Council as the Waste Disposal Authority through reinvestment of disposal savings brought about by the increased recycling rates, into the services.
- 1.3 The table below shows the current service providers for the existing services:

<b>Service</b>	<b>Service Provider</b>	<b>Contract Renewal Date</b>
Waste Collection	Biffa Municipal Ltd	Oct 2023
Mixed Recycling	Biffa Municipal Ltd	Oct 2023
Garden Waste	Biffa Municipal Ltd	Oct 2023
Clinical Collection	Biffa Municipal Ltd	Oct 2023
Bulky Collection	R. Wyatt (Subcontractor to Biffa)	Oct 2023
Bin Deliveries	R. Wyatt (Subcontractor to Biffa)	Oct 2023
Street Cleansing	Maidstone Borough Council	None
Fly tipping / Hit Squad	Maidstone Borough Council	None
Fleet Maintenance (Waste & Recycling Collection)	Biffa Municipal Ltd	Oct 2023
Fleet Maintenance (Street Cleansing / Grounds Maintenance)	CTS (part of Commercial Services, KCC)	Oct 2023

- 1.4 With the Mid Kent Contract due to expire in three years and no option of an extension work is required to determine the future provision of these services.
- 1.5 Along with our partnering authorities, Maidstone procured the services of Waste Consulting to undertake analysis of potential costs for different service delivery models. They already have significant knowledge of the

Mid Kent Waste Contract as they carried out the modelling for the current contract and have undertaken further analysis over the past 7 years.

- 1.6 Waste Consulting have now completed their initial work and have identified the likely costs should the service continue to be operated as is, as well as looking at alternative delivery methods including a fully in-house service or a Local Authority Trading Company (LATCo). At this stage no recommendations have been made, however Waste Consulting have identified the decisions which will need to be taken, the projected cost implications and the wider environmental impact.
- 1.7 This report outlines the headline results from this modelling, with an estimate of costs, based on current prices, for the various options available.

### **What is important to Maidstone?**

- 1.8 To decide the best option for Maidstone, it is important to set out the objectives the service needs to achieve. Whilst the financial consideration of such a large service is important, it is not the only consideration, particularly given its high-profile nature and potential environmental impact.
- 1.9 Considering the Council’s corporate priorities as set out in the Strategic Plan and the objectives within Maidstone’s current Waste Strategy, the following table outlines the five proposed objectives and their relative weighting.

Maidstone Borough Council Waste Service Objectives		
Ref	Objective	Weighting
1	Minimise the carbon footprint of the overall service, to include taking into account the impact of the fleet and collection frequencies	25%
2	Deliver a cost effective and tailored service with high resident satisfaction	25%
3	Waste and recycling is treated as locally as possible, to support and possibly invest in the local supply chain	20%
4	Maximise recycling rates and financial value of the recycling itself for reinvestment in the service	15%
5	Achieve economies of scale & service efficiencies through partnership working	15%

- 1.10 These priorities reflect the Council’s commitment to tackling climate change, whilst retaining a focus on resident satisfaction and cost.
- 1.11 It is recommended that the Committee agree the draft objectives so they can form the foundation of the future decision-making process. The four key decisions which need to be agreed over the coming 12 – 18 months are now outlined below. Some of the advantages and disadvantages of each approach are discussed within the report however at this stage no recommendation can be made.

### **The Future of the Mid Kent Partnership**

- 1.12 Since 2013, Maidstone Borough Council has been part of the Mid Kent Partnership with Ashford and Swale Borough Councils. This followed the

creation of the East Kent Partnership and has since been followed by South West Kent.

1.13 The Council will need to decide whether to continue as part of Mid Kent or to consider working alone in future or partnering with other authorities. This will also have a bearing on how the future relationship with Kent County Council as the disposal authority develops.

1.14 The table below highlights the key advantages and disadvantages associated with each option:

	<b>Advantages</b>	<b>Disadvantages</b>
<b>Mid Kent Partnership</b>	<ul style="list-style-type: none"> <li>- Strong partnership already developed</li> <li>- Provides greater support to each authority</li> <li>- Opportunities to have combined client team to reduce costs</li> <li>- Cross-boundary services offer cost savings</li> <li>- Greater collective weight to renegotiate with KCC on the Inter-Authority Agreement</li> </ul>	<ul style="list-style-type: none"> <li>- Administration is more complex</li> <li>- Requires partnership to maintain consistency which can make decision-making process more difficult</li> </ul>
<b>Alternative Authorities</b>	<ul style="list-style-type: none"> <li>- Provides support to partnering authorities</li> <li>- Procurement savings from re-tending joint contract</li> </ul>	<ul style="list-style-type: none"> <li>- Very few authorities in Kent not already in Partnership or contract</li> <li>- Requires close geography to generate cost savings</li> <li>- Takes time to develop working relationship</li> </ul>
<b>Single Authority</b>	<ul style="list-style-type: none"> <li>- Independency, ability to make quicker decisions</li> <li>- Able to focus solely on Maidstone's objectives</li> </ul>	<ul style="list-style-type: none"> <li>- Less support particularly in times of disagreement with contractor</li> <li>- Higher procurement and contract cost due to overheads not being shared</li> </ul>

### **To Outsource or Not?**

1.15 Whilst the waste collection service is currently outsourced to a private company, this is not the only delivery option. There are four options for Maidstone to consider for the provision of waste and street cleansing services post 2023:

- Contracted waste collection and in-house street cleansing service (As is)
- Contracted waste and street cleansing service
- In-house waste and street cleansing service (DSO)
- Local Authority Trading Company to operate waste and street cleansing services (LATCo)

1.16 The initial indications are that if the waste contract was retendered now and the street cleansing service remained in-house, it would cost Maidstone Borough Council an additional £590k per year. By 2023 this would increase further as it would need to incorporate property growth and indexation to reflect changes to resource costs i.e. fuel prices, salary costs, CPI.

1.17 Therefore, without making any changes to the services, performance standards or delivery method, the Council will need to budget a significant increase in collection costs.

1.18 The modelling has also considered the comparative costs for the other delivery models, all of which result in significantly higher collection costs; however, the LATCo represents the lowest cost to the Council.

<b>Delivery Model</b>	<b>£</b>	<b>Advantages</b>	<b>Disadvantages</b>
Current	4,490,000	<ul style="list-style-type: none"> <li>- Flexible street cleansing service</li> <li>- Fully supported waste collection service i.e. national back-up</li> <li>- No competition between Waste and Street Cleansing for resources</li> </ul>	<ul style="list-style-type: none"> <li>- Higher pension costs for cleansing staff</li> </ul>
Fully Contracted Out	5,120,000	<ul style="list-style-type: none"> <li>- More resilience due to the vast corporate and national resources</li> <li>- greater support and knowledge e.g. H&amp;S</li> <li>- reduced HR requirement</li> </ul>	<ul style="list-style-type: none"> <li>- Low flexibility</li> <li>- Hidden or additional costs</li> <li>- Lower staff morale</li> <li>- Staff terms and conditions</li> <li>- Waste likely to take priority over street cleansing for resources</li> </ul>
In-house (DSO)	5,140,000	<ul style="list-style-type: none"> <li>- Fully flexible service</li> <li>- Higher level of staff buy-in / morale</li> </ul>	<ul style="list-style-type: none"> <li>- High pension costs</li> <li>- Highest overall cost</li> <li>- Less resilience</li> </ul>

			Waste likely to take priority over street cleansing for resources
LATCo	4,825,000	<ul style="list-style-type: none"> <li>- Council retains full control</li> <li>- Cheapest option</li> <li>- Flexible service</li> </ul>	<ul style="list-style-type: none"> <li>- Possibility of lower staff morale due to different terms and conditions to Council employees</li> <li>- Less resilience</li> </ul> <p>Waste likely to take priority over street cleansing for resources</p>

### Cleansing In or Out?

1.19 An internal review of street cleansing was carried out in 2019 which included speaking with resident, businesses, Councillors and Parish Councils. The feedback was very mixed and in some places contradictory. Whilst most residents described their local area as clean, this varied significantly by area along with residents' expectations of what is 'clean'. Residents main areas of concern were littering and street sweeping as well as maintenance of grass verges. However, Members' and Parish Council concerns were primarily focused on fly tipping, although only 13% of residents agreed with this.

	Advantages	Disadvantages
Cleansing operated alongside Waste Collection	<ul style="list-style-type: none"> <li>- reduced service management costs</li> <li>- Ability to have greater coordination between services</li> <li>- Reduced vehicle maintenance costs due to increased scale</li> <li>- Multi-tasking / skilling of staff</li> </ul>	<ul style="list-style-type: none"> <li>- Less flexibility</li> <li>- Waste likely to take priority over street cleansing for resources</li> <li>- Cleansing standards often compromised due to focus on waste collection</li> </ul>
Cleansing remain separate to Waste Collection	<ul style="list-style-type: none"> <li>- No competition for resources</li> <li>- Fully flexible and responsive service</li> <li>- Higher Staff morale</li> </ul>	<ul style="list-style-type: none"> <li>- Usually higher cost</li> <li>- Services operate separately so low levels of coordination</li> </ul>

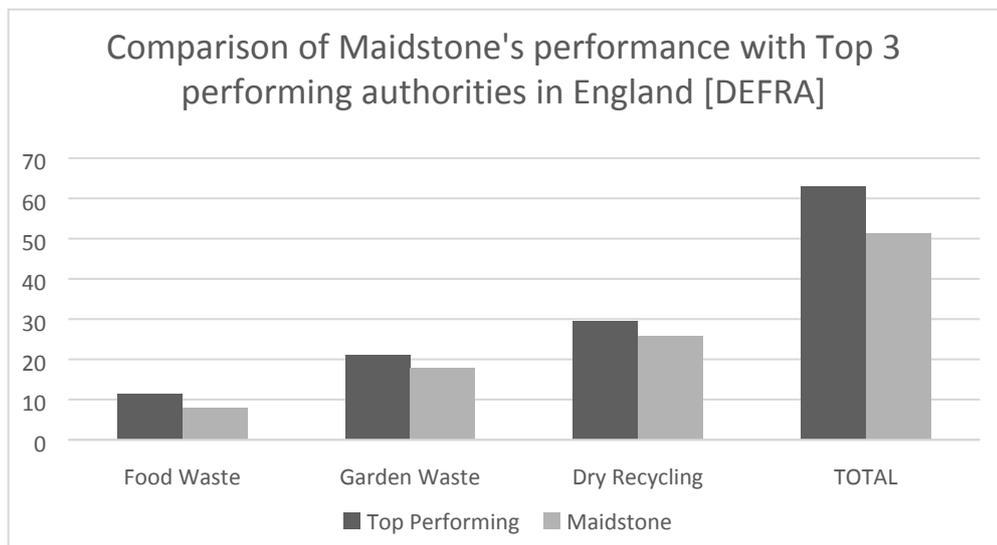
1.20 The review concludes that further investment may be needed in the service to improve resident perception, as well as improving the visibility of the service through published schedules. The recommendation is that a

cheaper delivery model may offer this ability to reinvest money in the frontline service.

1.21 Whilst a decision will have to be taken regarding the delivery model for both the waste and street cleansing services post 2023, most of the cost and risk lies with the waste collection service. It is likely that the decision will need to be taken about the waste collection service in the first instance as this will narrow the options for the street cleansing service. For example, if the best option for the waste service is to create a LATCo, the option to outsource the street cleansing service is likely to be discounted.

### **Our Recycling Ambition**

1.22 With a national target of 65% recycling by 2035 as set out in the Government’s Waste Strategy, Maidstone has a long way to go in the next 15 years. However, the three top performing authorities in England - South Oxfordshire, Three Rivers and Vale of White Horse – are all achieving over 62% with the same collection method as Mid Kent.



1.23 The end of the current waste contract offers the opportunity to explore alternatives to how recycling is collected and consider greater innovation within the services.

1.24 Mid Kent, unlike East and South West Kent Partnership has a fully commingled collection, where all recycling is collected within a wheeled bin. However, Kent County Council, as the disposal authority, prefer the twin-stream collection method, whereby paper and cardboard are collected separately to the other recycling i.e. plastic bottles and tubs, glass, and cans. This system is currently operated in East and South West Kent and was considered by Maidstone in 2013. At that time, it was discounted due to the complexities and cost of collection as well as the modelling showing greater recycling could be achieved through the fully commingled collection.

	<b>Advantages</b>	<b>Disadvantages</b>
<b>Commingled</b>	<ul style="list-style-type: none"> <li>- Established service</li> <li>- Service offered by top three highest performers in England</li> <li>- High satisfaction from residents</li> <li>- Simple service</li> </ul>	<ul style="list-style-type: none"> <li>- Recycling rates plateaued</li> <li>- Lower quality of recycling due to fully mixed collection</li> </ul>
<b>Twin-stream recycling</b>	<ul style="list-style-type: none"> <li>- KCC preferred collection method</li> <li>- Disposal savings due to reduced reprocessing needs</li> <li>- Consistency with East and South West Kent collection methods</li> <li>- Higher quality of recycling</li> <li>- Overall net reduction of costs in region of £150k</li> </ul>	<ul style="list-style-type: none"> <li>- Higher collection costs</li> <li>- More complex vehicles required which pose risk to reliability</li> <li>- Instability of markets may negate disposal savings resulting in increased cost</li> <li>- Additional containers required</li> <li>- increased complexity for residents as sorting required</li> <li>- Recycling rate may reduce due to more complex system</li> </ul>
<b>Alternative refuse frequencies</b>	<ul style="list-style-type: none"> <li>- May be used to offset some of the additional cost of increased recycling collections</li> <li>- Reduction in waste levels</li> <li>- Increase recycling rates</li> </ul>	<ul style="list-style-type: none"> <li>- Resident satisfaction likely to reduce</li> <li>- May result in increased cost due to additional services and bins required</li> <li>- Possible increase in littering and fly tipping due to excess waste</li> </ul>
<b>Active engagement in circular economy e.g. focus on keeping materials in local area</b>	<ul style="list-style-type: none"> <li>- Support circular economy to increase quality of recycling</li> <li>- Greater positive impact on climate change due to focus on full lifecycle</li> </ul>	<ul style="list-style-type: none"> <li>- KCC is waste disposal authority</li> <li>- limit recycling ability and reduce recycling rate</li> <li>- Higher cost</li> </ul>

1.25 There will be a need to consider the Council’s recycling ambition alongside the wider benefits and implications of any such changes.

## The Process from Here

- 1.26 With both the current waste contract and street cleansing's fleet maintenance contract ending in October 2023, there is just over 3 years to make decisions on the four key areas and then implement and mobilise the services.
- 1.27 At this stage, a draft timetable has been developed and is included below. This will be subject to review throughout the process.

Action	Draft Timeframe
Member workshop / webinar	July - Sept 2020
Partnership Agreement	Dec 2020
Decision on Service Delivery Model	April 2021
Decision on Street Cleansing provision	June 2021
Development of Recycling Specification	Sept 2020 – April 2021
Decision on Recycling Specification	June 2021
Service Preparation / Retendering	Sept 2021
Service Mobilisation	April 2023
Service Starts	October 2023

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### 3. AVAILABLE OPTIONS

- 3.1 At this stage in the process, the report is presented predominantly for informational purposes and to provide the Committee with the opportunity to consider and discuss the options available.
- 3.2 It is also recommended that the Committee agrees the draft objectives as set out in paragraph 1.9 of the report. However, the Committee could decide alternative objectives should be included or the weighting should be readjusted.
- 3.3 Following discussion, the Committee could consider that other options should be further explored as part of the commissioning process or provide early feedback about options that may be deemed unpalatable or challenging.

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### 4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 It is recommended that a Members' workshop is carried out with Waste Consulting to discuss in further detail the opportunities and challenges going forward in preparation for agreement across Mid Kent of the post 2023 service delivery arrangements.
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## **5. RISK**

- 5.1 A full risk assessment of each option will be carried out as part of the commissioning process and prior to decision about the agreed way forward.
  - 5.2 At this stage, there are no risks associated with early knowledge relating to projected costs or from exploring all options and this will enable improved budget planning and considered decisions to be taken which will meet the corporate objectives.
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## **6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK**

- 6.1 Consultation on the street cleansing service was carried out in 2019 and summary details are included in the report.
  - 6.2 Further consultation will be required should service changes be considered.
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## **7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION**

- 7.1 The next steps are covered in section 1.26 onwards.
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## **8. REPORT APPENDICES**

None

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## **9. BACKGROUND PAPERS**

None