

**Report of the Overview and Scrutiny Committee –
Recommended actions arising from the review into the
'Council's Performance against the Waste Strategy, 2018-
2023'**

Timetable	
<i>Meeting</i>	<i>Date</i>
Overview and Scrutiny Committee	20 December 2022
Planning Committee	19 January 2023
Executive	25 January 2023

Will this be a Key Decision?	No
Urgency	Not Applicable
Final Decision-Maker	Executive
Lead Director	Angela Woodhouse, Director of Strategy, Insight & Governance
Lead Officer and Report Author	Oliviya Parfitt, Democratic Services Officer
Classification	Public
Wards affected	All

Executive Summary

This report provides an outline of the Overview and Scrutiny Committee's review into the Council's Performance against the Waste and Recycling Strategy, 2018-2023, and the recommended actions arising which relate to the Lead Members on the Executive, for the Executive to consider.

Purpose of Report

Decision

This report makes the following recommendations to the Executive: That

1. Consideration be given to the Overview and Scrutiny Committee's recommended actions to the Executive, and determine which, if any, will be agreed.

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1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>Accepting the recommendations may materially improve the Council's ability to achieve all corporate priorities and have been put forward by the Overview and Scrutiny Committee following its review into the Council's Performance against the Waste and Recycling Strategy, 2018-2023.</p> <p>An Overview and Scrutiny Recommendation Action and Implementation Plan has been included as an appendix to the report and contains officer comments on the recommended actions.</p>	<p>Director of Strategy, Insight & Governance</p>
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>Accepting the recommendations may materially improve the Council's ability to achieve all cross-cutting objectives and have been put forward by the Overview and Scrutiny Committee following its review into</p>	<p>Director of Strategy, Insight & Governance</p>

	<p>the Council's Performance against the Waste and Recycling Strategy, 2018-2023.</p> <p>An Overview and Scrutiny Recommendation Action and Implementation Plan has been included as an appendix to the report and contains officer comments on the recommended actions.</p>	
Risk Management	See Section 5 of the report	Director of Strategy, Insight & Governance
Financial	<p>The recommendations of the Overview and Scrutiny review will need to be delivered within already approved budgetary headings. If any new funding is required for implementation this will need to be addressed as part of the annual budget process.</p> <p>An Overview and Scrutiny Recommendation Action and Implementation Plan has been included as an appendix to the report and contains officer comments on the recommended actions.</p>	Section 151 Officer & Finance Team
Staffing	<p>The delivery of any of the recommendations produced by the Overview and Scrutiny Committee will be subject to consideration by the relevant Senior Officers for the applicable Service Area.</p> <p>An Overview and Scrutiny Recommendation Action and Implementation Plan has been included as an appendix to the report and contains officer comments on the recommended actions.</p>	Director of Strategy, Insight & Governance
Legal	In accordance with Part 1A of the Local Government Act 2000 (as amended by the Localism Act 2011) the Council is operating under Executive Arrangements. These arrangements must include provision for the appointment of one or more Overview and Scrutiny Committees to review and scrutinise the Executive Decisions made, or other actions taken relating to the exercise of the Authority and/or Executive Functions – LGA 2000, Section 9F.	Interim Team Leader (Contentious and Corporate Governance)

	<p>The Overview and Scrutiny Committee has exercised this power through its review and associated recommended actions for presentation to the Executive.</p> <p>An Overview and Scrutiny Recommendation Action and Implementation Plan has been included as an appendix to the report and contains officer comments on the recommended actions; should further advice be required at a later stage, such as at a future decision-making stage relating to the recommended actions, this would need to be raised by the relevant Senior Officers.</p>	
Information Governance	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes.	Senior Information Governance Officer
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities Officer
Public Health	<p>We recognise that the recommendations will not negatively impact on population health or that of individuals.</p> <p>An update on any further implications arising from public health will be given at the meeting.</p>	Public Health Officer
Crime and Disorder	No impacts identified.	Director of Strategy, Insight & Governance
Procurement	No impacts identified.	Director of Strategy, Insight & Governance
Biodiversity and Climate Change	<p>The implications of this report on biodiversity and climate change have been considered and aligns with the actions 4.1 to 4.5 of the Biodiversity and Climate Change Action Plan.</p> <p>An Overview and Scrutiny Recommendation Action and Implementation Plan has been included as an appendix to the report and</p>	Biodiversity and Climate Change Manager

	contains officer comments on the recommended actions.	
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2. INTRODUCTION AND BACKGROUND

- 2.1 Across the 2 and 3 November 2022, the Council's Overview and Scrutiny Committee (OSC) conducted a review into the 'Council's Performance against the Waste and Recycling Strategy, 2018-2023' (the review). These meetings were attended by the relevant Council Officers and Lead Members, with the agenda papers and minutes for those meetings accessible through section 9 of this report.
- 2.2 The OSC produced a total of 27 recommended actions from the review, of which 24 fall within the Executive's remit, 2 fall within the Planning Committee's terms of reference, and 1 sits as a post-review evaluative recommendation to the OSC.
- 2.3 A breakdown of the recommended actions by relevant Member and External Organisation has been listed below:

Lead Member (LM) on the Executive	Number of Recommendations
LM for Environmental Services	9
LM for Communities and Public Engagement	7
LM for Planning and Infrastructure	6
External Organisations	2
Shared Recommendations (where the recommendation sits across multiple portfolios or decision-makers)	3

- 2.4 The recommended actions are contained within Appendix 1, alongside each action's 'intended outcomes' and relevant Lead Officer/s. This is to provide the Committee's reasoning in putting forward each action, alongside providing a clear record of which Officers and Members have responsibility for the applicable service areas.
- 2.5 The Executive is asked to consider these recommended actions, alongside the comments made by the relevant Lead Officer/s within Appendix 2 to the report.

- 2.6 Appendix 2 is the Overview and Scrutiny Committee Recommendation Action and Implementation Plan (SCRAIP), which enables officers to comment on the recommended actions. This ensures that the Executive is given the relevant information to effectively consider the recommended actions and is standard practice as part of the Overview and Scrutiny function.
- 2.7 The Executive should also be aware of recommendations 17 and 18, as these were referred to the Planning Committee on the 19 January 2022 and are similar to recommendations 20 and 24 for the Lead Member for Planning and Infrastructure. A verbal update on the Planning Committee's consideration of the former will be given at the Executive Meeting for information.
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3. AVAILABLE OPTIONS

- 3.1 Option 1 – Agree to implement the recommended actions.

If agreed, the relevant Lead Officers will implement the agreed actions or conduct further work, as appropriate. For example, if recommended action 3 is agreed it would not be actioned until after the commencement of the new waste collection service in 2024.

- 3.2 Option 2 – Amend the recommended actions.

The Executive could choose to amend (and then agree) the recommended actions, although this may mean that the Officers are required to provide further comments on the amended actions suitability and/or feasibility.

- 3.3 Option 3 - Reject the recommended actions.

The Executive could choose not to implement the recommended actions, however this may mean that an opportunity to improve the Council's performance against the Waste and Recycling Strategy, as applicable to this Committees' terms of referenced, is missed.

- 3.4 The OSC will be formally informed of the decision taken by the Executive, with further information outlined below in points 6.2, 7.2 and 7.3.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 There is no preferred option from an officer perspective, as this report has been produced to support the OSC in presenting its recommended actions to the Executive as the relevant decision-maker. The OSC unanimously agreed the recommended actions for the Executive.
- 4.2 As outlined above in points 2.4 and 2.6, the reasons for the recommended actions are contained within the 'intended outcomes' section for each action. The comments from the Lead Officer/s are included within appendix 2.
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5. RISK

- 5.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 This is the first time that this issue has been presented to the Executive, although the Lead Member for Environmental Services and the Lead Member for Communities and Public Engagement attended either the 2 and/or 3 November OSC Meetings, to contribute to the evidence collection process.
- 6.2 The actions taken by the OSC in conducting the review are briefly outlined in points 2.1 and 2.2 of this report, with full details provided in appendix 1 to this report.
- 6.3 As outlined in points 7.2 and 7.3 below, the outcome of this report's consideration will be reported to the OSC at its next meeting.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 This will depend on the types of recommended action, and whether they are agreed.

For the actions that can be agreed and implemented, the relevant Officers will implement the actions when appropriate.

For the actions that require further consideration, such as those that recommend actions by the Head of Development for example, further work will take place before any corresponding actions are implemented.

- 7.2 The Overview and Scrutiny Committee will be provided with a formal response on behalf of the Executive, which will outline the Executive's consideration of this report and associated appendices and which actions were agreed, if any. This is a legal requirement, where an Overview and Scrutiny Committee has formally published a report to the Executive resulting from a review.
- 7.3 Consideration could be given as to whether the Overview and Scrutiny Committee receives a further update post-implementation of any agreed actions. However, this would not need to be decided at this point.
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8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix 1: Report of the Overview and Scrutiny Committee – The Council’s Performance against the Waste and Recycling Strategy, 2018-2023.
 - Appendix 2: SCRAIP concerning the recommended actions for the Lead Members on the Executive.
 - An urgent update (to follow) will be provided with further comments on recommendations 20-24.
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9. BACKGROUND PAPERS

Agenda and Minutes for the Overview and Scrutiny Committee Meeting held on 2 November 2022: [Your Councillors - Maidstone Borough Council](#)

Agenda and Minutes for the Overview and Scrutiny Committee Meeting held on 3 November 2022: [Your Councillors - Maidstone Borough Council](#)