

OVERVIEW AND SCRUTINY COMMITTEE

6 OCTOBER 2022

The Council's Review Against the Waste Strategy - Update Report

Timetable	
Meeting	Date
Overview and Scrutiny Committee	6 October 2022

Will this be a Key Decision?	No
Urgency	Not Applicable
Final Decision-Maker	Overview and Scrutiny Committee
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 update on the Waste Strategy Review that the Committee added to its Work Programme at the July 2022 meeting.

Purpose of Report

Decision

This report makes the following recommendations to the Committee: That

1. The contents of the report be noted; and
2. Consideration be given to the available options contained within 3.1 and 3.2 of the report, and a decision made on which option to proceed with.

The Council's Review Against the Waste Strategy - Update Report

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 recommendation could materially improve the Council's ability to achieve all corporate priorities, due to the Committee's role in reviewing and recommending actions arising from its work programme topics.</p>	Angela Woodhouse, Director of Strategy, Insight and Governance
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>The report recommendations could support the achievement of all the Council's cross-cutting objectives due to the Committee's role in reviewing and recommending actions arising from reviewing the topic.</p>	Angela Woodhouse, Director of Strategy, Insight and Governance
Risk Management	See Section 5 of the report.	Angela Woodhouse, Director of Strategy, Insight and Governance
Financial	The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Head of Finance

Staffing	We will deliver the recommendations with our current staffing, with an additional Member of the Democratic Services Team due to start in the near future.	Angela Woodhouse, Director of Strategy, Insight and 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 executive decisions made, or other action taken – LGA 2000, Section 9F.	Interim Team Leader (Contentious and Corporate Governance)
Information Governance	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council processes.	Information Governance Team
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities Officer
Public Health	We recognise that the recommendations will have a positive impact on population health or that of individuals.	Public Health Officer
Crime and Disorder	No impacts identified.	Angela Woodhouse, Director of Strategy, Insight and Governance
Procurement	No immediate impacts identified, although it should be noted that the Mid-Kent Waste Cleansing Services Contract Procurement is an ongoing exercise. Please see the Forward Plan for further information on that decision.	Angela Woodhouse, Director of Strategy, Insight and Governance & Section 151 Officer
Biodiversity and Climate Change	The implications of this report on biodiversity and climate change have been considered and aligns with actions (Actions 4.1 to 4.5) of the Biodiversity and Climate Change Action Plan	Biodiversity and Climate Change Manager

2. INTRODUCTION AND BACKGROUND

- 2.1 At its meeting held on the 19 July 2022, the Committee agreed to add the 'Council's Performance against the Waste Strategy' to its 2022-23 work programme. An excerpt from the minutes has been included below:

The Council's Performance in relation to its Waste Strategy

In response to questions, the Democratic Services Officer stated that the Director of Regeneration and Place had advised for the review to take place in quarter four as further information would be collated on, and decisions made relating to, the service across the third quarter.

The Leader of the Council was invited to address the Committee and answer questions on the Waste Services contract procurement, tender process and timeline for the decision.

The Committee felt that it would be beneficial to conduct a review into the topic due to the importance of the service to local residents. The decision relating to the contract would be taken within approximately 18 months and the procurement exercise had commenced. Therefore, a spotlight review was preferred as this would enable an in-depth review to take place in the near future over a short timescale. The review would ideally occur in September 2022.

(19 July 2022, Minute 31).

- 2.2 As shown above, the ongoing contract procurement was influential in the Committee's decision. To progress the review, the topic was discussed with the Chairman and the relevant officers after the Committee meeting.
- 2.3 Given the current position of the waste contract procurement, it would not be conducive to the process for the Committee's review to focus on the contract. This is further supported by the recent urgent decision made by the Lead Member for Environmental Services relating to the Mid-Kent Waste Cleansing Services Contract extension (August 2022) and the upcoming decision on the Mid-Kent Waste Cleaning Services (new) contract procurement to be made in December 2022.
- 2.4 It should be highlighted that as part of the Council's new governance model, pre-decision scrutiny is a function given to the Policy Advisory Committees (PAC). This Committee's remit is to undertake policy development and review, and post-decision scrutiny. The decision on the contract's procurement will be presented to the Communities, Housing and Environment PAC, ahead of its presentation to the Executive. Without prejudicing the decision to be made, should the decision be called-in, it would be considered by this Overview and Scrutiny Committee.
- 2.5 Further, as the service is being re-procured and the Waste Strategy will be refreshed from 2023, the Committee would still be able to conduct the originally agreed Spotlight Review into the Council's performance against the latter.

- 2.6 A re-refined scope has been attached at Appendix 1 to the report, following the meeting held as described in point 2.2, that could be used to guide a spotlight review. If agreed, this review would not be as time-sensitive, so could take place later in the municipal year.
- 2.7 The Head of Environment and Public Realm will be in attendance at the 20 September 2022 meeting to answer any further questions on Waste Services.

3. AVAILABLE OPTIONS

- 3.1 Option 1 – Agree the revised scope at Appendix 1, to focus only on improving the Council’s performance against the Waste Strategy, ahead of the 2023 refresh, and amend the Committee’s Work programme as a result.

Possible dates for the Spotlight Review include:

Wednesday 2 November
 Thursday 3 November
 Friday 4 November

The Committee would be consulted via email, with the date achieving the highest attendance rate selected.

The Committee Work Programme would be amended as shown below:

Maidstone Borough Council

Overview and Scrutiny Committee Work Programme 2022-23 Municipal Year

Review Title	Expected Start Date & Method	Relevant Officer/s	Objectives
The Council’s Waste Strategy; contract re-procurement.	September 2022, Spotlight Review	William Cornall, Director of Regeneration and Place Jennifer Stevens, Head of Environment and Public Realm	Review prior to the procurement of the next Waste Contract to ensure value.
<i>The Council’s Waste Strategy</i>	<i>To have taken place by the end of November 2022, Spotlight Review</i>	<i>William Cornall, Director of Regeneration and Place</i> <i>Jennifer Stevens, Head of Environment and Public Realm</i>	<i>Review the Waste Strategy whilst considering best practice of other Local Authorities to identify innovative improvements</i>

- 3.2 Option 2 – Remove the review from the Work Programme. If the Committee does not wish to conduct the review with a focus on the Council’s performance against the waste strategy, the review could be removed from the work programme in entirety and no further action taken.
- 3.3 Option 3 – Progress with the review, with a focus on the re-procurement of the Mid-Kent Waste Cleansing Services Contract. **This is not recommended**, meaningful scrutiny to influence the contract is not possible as the procurement which is nearing completion.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The Committee is recommended to choose either Option 1 or Option 2 as outlined above in points 3.1 and 3.2 respectively.
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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 The review topic has been discussed at both the June and July 2022 Committee Meetings as part of the Work Programming process.
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7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 If the Committee acts in accordance with point 3.1, the Committee Work Programme will be amended, and the Committee informally consulted on their preferred date to hold a Spotlight Review.
- 7.2 If the Committee acts in accordance with point 3.2, no further action will be taken on the review and the Committee Work Programme will be amended accordingly.
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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: Re-refined Scope for the Council’s Performance against the Waste Strategy Scope.
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9. BACKGROUND PAPERS

Minutes of the Overview and Scrutiny Meeting held on 19 July 2022: [Minutes Template \(maidstone.gov.uk\)](#)