South London Waste Partnership Joint Committee Agenda

Membership

London Borough of Croydon
Councillor Stuart Collins – Deputy Leader and Cabinet Member for Clean Green Croydon
Councillor Stuart King – Cabinet Member for Environment, Transport & Regeneration (Job Share)
Councillor Paul Scott – Cabinet Member for Environment, Transport & Regeneration (Job Share)
Substitutes: Councillors Muhammad Ali and Nina Degrads
Royal Borough of Kingston upon Thames
Councillor Hilary Gander - Portfolio Holder for Environment & Sustainable Transport
Councillor Liz Green – Leader of the Council
Substitutes: Councillors Dave Ryder-Mills and Malcolm Self
London Borough of Merton
Councillor Martin Whelton - Cabinet Member for Regeneration, Housing and Transport
Councillor Mike Brunt - Cabinet Member for Environment & Street Cleanliness
Substitutes: Councillors Mark Allison and Nick Draper
London Borough of Sutton
Councillor Manuel Abellan - Chair of the Environment and Neighbourhood Committee
Councillor Richard Clare – Vice-Chair of the Environment and Neighbourhood Committee
Substitute: Councillor Steve Penneck

Date: **Tuesday 11 September 2018**

Time: **6.30 pm**

Venue: **Committee Rooms CDE, Merton Civic Centre**

This is a public meeting and attendance by the public is encouraged and welcomed. For more information about the agenda please contact democratic.services@merton.gov.uk or telephone 020 8545 3616.

All Press contacts: communications@merton.gov.uk, 020 8545 3181

This agenda is also available to view on:
www.croydon.gov.uk

www.sutton.gov.uk
www.kingston.gov.uk

South London Waste Partnership Joint Committee Agenda

11 September 2018

waste management, HRRC services and marketing of recyclates) and Phase B (residual waste treatment) contracts.

10 Any Urgent Business

11 Exclusion of the Press and Public

To exclude the public from the meeting under Section 100(A)(4) of the Local Government Act 1972 on the grounds that it is likely that exempt information, as defined in paragraph 3 of Part I of Schedule 12A to the Act, would be disclosed and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

This paragraph covers information relating to the financial or business affairs of any particular person (including the authority holding that information)

12 Risk Register

Included in the exempt agenda supplement

13 Date of the next Meeting

The next meeting will be held on Wednesday 5 December 2018 at the London Borough of Merton Civic Offices.

Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that mater and must not participate in any vote on that matter. If members consider they should not participate because of a non-pecuniary interest which may give rise to a perception of bias, they should declare this, .withdraw and not participate in consideration of the item. For further advice please speak with the Assistant Director of Corporate Governance.

SOUTH LONDON WASTE PARTNERSHIP JOINT COMMITTEE

Tuesday 13 June 2018

6.32 – 7.33pm

London Borough of Croydon
Councillor Stuart Collins - Deputy Leader and Cabinet Member for Clean Green Croydon (Vice-Chair)
Councillor Stuart King - Cabinet Member for Transport and Environment
Reserves: Councillors Muhammad Ali and Nina Degrads

Royal Borough of Kingston upon Thames
Councillor Hilary Gander – Portfolio Holder for Environment & Sustainable Transport
Councillor Liz Green – Leader of the Council
Reserves: Councillors Dave Ryder-Mills and Malcolm Self

London Borough of Merton
Councillor Mike Brunt - Cabinet Member for Environment and Street Cleanliness (Chair)
Councillor Martin Whelton - Cabinet Member for Regeneration, Housing & Transport
Reserves: Councillors Mark Allison and Nick Draper

London Borough of Sutton
Councillor Manuel Abellan - Chair of the Environment & Neighbourhood Committee
*Richard Clare – Vice-Chair of the Environment and Neighbourhood Committee
Reserve: Councillor Steve Penneck

*Absent

1. **Appointment of Chair and Vice Chair 2018/19**

Councillor Stuart King motioned that Councillor Mike Brunt be nominated as Chair of the committee for 2018/19

The motion was seconded by Councillor Stuart Collins

RESOLVED: that Councillor Mike Brunt be elected as the Chair of the South London Waste Partnership for 2018/19

Councillor Mark Whelton motioned that Councillor Stuart Collins be nominated as Vice-Chair of committee for 2018/19

The motion was seconded by Councillor Manuel Abellan

RESOLVED: that Councillor Stuart Collins be elected as the Vice-Chair of the South London Waste Partnership for 2018/19

2. Welcome and introductions

The Chair welcomed all those present

3. Apologies for absence and notification of substitutes

Apologies were received from Councillors Richard Clare and Liz Green

4. Declarations of interest

There were no declarations of interest made

5. Minutes of the previous meeting

RESOLVED: that the minutes of the meetings held on 5 December 2017 and 6 March 2018 be agreed and signed as an accurate record of the meeting.

6. Phase A & B Contract Management Report

Annie Baker, Strategic Partnership Manager , presented the report.

It was highlighted under Contract 1:-

- There had been a drop of 10% in waste, due to increased recycling and diversion of commercial and bulky waste collections.
- 21% of the Partnership's residual waste had been diverted from landfill via the Lakeside ERF

There were no issues reported in regards to the contract

Contract 2:-

- Sites were being reconfigured and the works were now mostly complete
- KPI targets on customer satisfaction levels of 80% were being reached at all sites. On recycling performance 3 sites missed the 70% target by small margins

Contract 3:-

There were no issues to report.

It was highlighted under the Phase B Contract:-

- In regards to the ERF, Lagan Construction went into administration, this has caused a longer delay than initially anticipated and completion is expected in the Autumn.

Members asked for clarification on declining satisfaction with queue lengths at the HRRCs, green waste tonnage and overall recycling performance either not improving or worsening at sites. The Strategic Partnership Manager explained that demand at the sites fluctuates, which impacts on queue times and there were no serious concerns at present. Following re-design of some of the sites it is expected to see improvements. The distribution of new permits at the sites may have contributed to longer queue times.

The Strategic Partnership Manager said further on the performance of HRRCS that performance was down on the previous year, but it was up but it was up on the year prior to that, highlighting that it does again fluctuate. There have been challenges to find suitble re-processing outlets for mattresses and carpets and the Partnership is looking at ways to improve performance. Sites now have have Automatic Number Plate Recognition(ANPR) in place so we can begin to monitor data around visitor numbers and the relation to recycling levels.

The Chair requested population numbers of each borough following the committee.

Members asked if any work was being done about the opening times of hours of recycling centres to make them more accessible and improve recycling. The Strategic Partnership Manager explained that they would be reviewing all the sites, and further information would come back to the committee.

The Chair queried whether the ANPR was validating or just counting. The Strategic Partnership Manager responded that it recognises so they can look at the number of repeat visitors as well as total number of visitors.

Members mentioned complaints on social media of rubble bag deposits being limited due to limited collections. The Strategic Partnership Manager explained that different sites in and out of partnership are different, but they will be looking at with wider policy and rules, with an expectation of staff to check where the waste is from and not accept from trade sites.

Members expressed agreement that Communications should review signage to help inform visitors of the rules at each site.

RESOLVED: that the contents of the report be noted, and comment be made on aspects of the performance of the Partnership's Phase A & B contracts.

7. Communications Update

John Haynes, Communications Advisor, presented the report.

It was highlighted under:

Plastic Planet Campaign:-

- Close to launching a social media-based campaign called 'Plastic Planet', showcasing short videos that highlight the environmental damage that single use plastic can cause if they are not recycled
- It will be a hard hitting eye-catching campaign, delivered across the Partnership boroughs' facebook and instagram platforms for 6 weeks starting in June
- The campaign would be targeted at 16-34 yr olds in line with the communications strategy

Phase A background:-

HRRCs

- Customer satisfaction surveys are ongoing – satisfaction remains high with any site-specific issues being escalated through the contract management meetings with Veolia.
- Looking to introduce material-specific recycling information signs at the HRRC's

Beddington Landfill

- A Community Open Day was held on Thursday 14 June 2018, with 24 people (full capacity) registered for a site visit

Phase B: -

ERF Construction

- The facility is currently in the commissioning phase
- Main focus of the partnership is looking at how community engagement will look after the facility becomes operational, and it will be based around an education centre at the site and an online virtual visitor centre.
- More information will be brought back to the next committee.

Sutton Councillor, Nick Mattey, requested from the public gallery to ask a question. The Chair reminded attendees that elected members should submit any questions in advance, but at the Chair's discretion would allow the question. Councillor Mattey raised concerns about controlling the narrative at the proposed education centre at the ERF site. The Communications Advisor responded that they are working with Viridor to ensure all educational content is factual and accurate.

Members commented that there should be a website, ready for the completion of the ERF, showing emission levels and the ESA's view is on what is acceptable, ran separately from Viridor. The Strategic Partnership Manager explained that the Environment Agency is the key monitoring authority of emission levels, and following feedback from each borough, they can look at the right level of information that should be made public.

Members commented that open days were not highly publicised and suggested that in addition to adverts in local papers members of the committee were also kept informed.

It was highlighted that new members of the committee and newly elected councillors would be interested in visiting the facility, and the Strategic Partnership Manager said this would be looked into.

RESOLVED: that the report be noted

8. South London Waste Partnership Budget Outturn 2017/18

Michael Mackie, Finance Officer , presented the report, highlighting that little had changed since the last committee, but drew attention to the £137,000 underspend and variances mentioned at paragraphs 2.3 and 2.7 of the report.

RESOLVED: that the report be noted

9. South London Waste Partnership Budget Update Month 2 - 2018/19

Michael Mackie, Finance Officer, presented the report, highlighting that the Month 2 forecast spend would be as per budget and there were no variations to report.

The Chair asked why there was no spend against the communications budget as item 7 had mentioned spend on communications. The Communications Advisor explained it was because this is a commitment and not actual spend yet. .

Members commented that there was a significant buffer within the budget and asked why the funds were held. The Strategic Partnership Manager explained that the funds were required for recruitment, salary spend, internal advisor costs and environmental services work.

Sutton Councillor, David Hicks, asked from the public gallery whether there was any cost benefit analysis of the staffing of the organisation has that been done, and if there was a forward plan for the budgets.

The Strategic Partnership Manager explained this was beyond the remit of this committee but they do support the management board, where those processes are documented.

RESOLVED: that the report be noted

10. Any urgent business

Councillor Stuart Collins ask that the committee begin to review and discuss Veolia's performance within the contract, in the exempt part of the meeting. It was noted that this was not in the remit of the committee to make decisions but the committee could consider

whether papers for information could come to the committee and look at ways to share anyconcerns of each of the boroughs.

The Strategic Partnership Manager explained that a future paper would be coming to the committee to look at the committee's remit.

The Chair welcomed discussion of the topic and suggested that information could be shared by the boroughs in additional workshops. Members commented that for transparency the committee needed to look at this issue and the remit of the committee, given the size of the contract and performance issues.

The Chair requested that a paper be brought to the next meeting looking at the committee's remit.

11. Exclusion of the Press and Public

RESOLVED: that the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 Schedule 12A of the Local Government Act 1972."

12. Risk Register

The risk register was reviewed

13. Date of the next meeting

The next meeting will be held on 11 September 2018 at Merton, Civic Offices at 18:30pm

Signed ……. Date……..
Chair

SOUTH LONDON WASTE PARTNERSHIP

Report to: **South London Waste Partnership (SLWP) Joint Waste Committee**

Date: **September 2018**

Report of: **SLWP Management Group**

Author(s):

Annie Baker, Strategic Partnership Manager

Chair of the Meeting:

Councilor Brunt, Chair SLWP Joint Waste Committee

Report title:

Phase A & B Contract Management Report

Summary:
This report provides Joint Waste Committee with an update on the performance of the three Phase A Contracts applicable to the South London Waste Partnership:

i. Contract 1 - Transport and Residual Waste management
ii. Contract 2 - HRRC services - HRRC site management and material recycling
iii. Contract 3 - Marketing of recyclates and treatment of green and food waste

This report provides performance data for the period 1st April 2018 until 30th June 2018.

This report also provides Joint Waste Committee with an update on the Phase B Contract.

Recommendations:

Joint Waste Committee is asked to note the contents of this report, and comment on any aspects of the performance of the Partnership's Phase A & B contracts.

Background Documents:

Contract Performance Monitoring updates have been presented to the Joint Waste Committee since 22 July 2010. The most recent reports were presented at the meeting in June 2018 by the Strategic Partnership Manager, Annie Baker.

PHASE A BACKGROUND

1.1. Contract 1 is operated by Viridor Waste Management Ltd and includes the bulk haulage of material and the disposal of residual waste.

1.2. Contract 2, the HRRC service is operated by Veolia (ES) (UK) Ltd. The contract commenced on the 1st October 2015 and includes the management of the 6 Partnership HRRC sites in addition to the marketing of recyclates collected at each of the sites.

1.3. Contract 3 is operated by Viridor and includes the marketing of recyclates and the treatment of green and food waste.

1.4. The London Boroughs of Croydon, Sutton and Merton direct deliver kerbside collected residual waste and organics into the Beddington site, operated by Viridor. Merton also deliver kerbside recycling to Beddington, whilst Sutton delivers kerbside recycling to both Beddington and Veolia under a separate contract, and Croydon deliver all recycling to Veolia.

1.5. The Royal Borough of Kingston (RBK) direct delivers kerbside collected waste, organics, and recyclates into the Kingston Villiers Road Waste Transfer Station (WTS). Viridor operate Villiers WTS and related bulk haulage services on behalf of RBK under Contract 1.

2. PERFORMANCE DETAIL

2.1. Contract 1: Transport and Residual Waste Management (Viridor Waste Management Limited)

2.1.1. Under Contract 1 for the period being reported, 1st April 2018 until 30th June 2018, the Partnership managed just over 56,000 tonnes of residual waste. This shows a drop in waste of 2.4% (1,389 tonnes) when the data is compared to the same period last year. Please see Appendix A table 1a for further detail.

2.1.2. Landfill Diversion: Viridor has diverted just over 4,600 tonnes of residual waste from landfill via the Lakeside ERF during the period being reported. This equates to a 8% diversion from landfill for the Partnership. Viridor have direction on which boroughs' waste is diverted to Lakeside, largely determined by the location and capacity at the facility receiving the waste. Please see Appendix A table 1b for further tonnage data.

2.1.3. The Contract is operating effectively. There were no major operational or performance issues, no formal complaints were reported, and there were no KPI failures reported under Contract 1.

2.2. Contract 2: Management of the Household Reuse and Recycling Centres (Veolia (ES) (UK) Ltd)

2.2.1. Contract Management: the scope of the HRRC services can be summarised in three parts: the general management of the sites including staffing, plant, equipment, and site layouts; the transportation of materials;

and the recycling, treatment, and/or disposal of waste collected at the HRRC sites (excluding green and residual waste).

2.2.2. HRRC Site Reconfigurations: upgrades have been completed at all sites. SLWP has also been in discussions with Veolia with regard to further improvements at the Villiers Road and Factory lane sites following work with customer surveys and H&S recommendations, and so further work will take place at these sites in the next 6-12 months.

2.2.3. The contract specification focuses on three key performance categories; site user experience, health and safety, and material recycling.

2.2.4. Site user experience: Veolia started customer satisfaction surveys in July 2016 to test site user experience. The real time data for the customer satisfaction surveys can be accessed on line by SLWP so we have full transparency. Customer satisfaction questionnaires are undertaken for two weeks at the six sites in turn for each round, table 2a of Appendix A details the dates for each round. Table 2b summarises the top 8 general comments made by customers at the end of the questionnaire.

2.2.5. The Contract requires customer satisfaction levels of 80% and above at each of the sites. The key questions are detailed in tables 2c, d, e and f of Appendix A. Round 6 of the customer satisfaction surveys show improved levels of satisfaction in relation to queuing times, which had fallen in the previous two rounds. All results have remained above the contract target.

2.2.6. Recycling Performance: Table 3a of Appendix A details the recycling performance by site, by month, and a year to date average – please note the year to date average is based on the raw tonnage data, not an average of the recycling performance per month. For the reporting period, April to June, Kimpton has not made the 70% contract target. Veolia have proposed additional measures to improve the recycling levels at this site.

2.2.7. Table 3b in Appendix A uses data specifically from the reporting period April to December from the last three years in order to compare performance year to date. The blue bar shows the recycling performance for the current year to date and the orange bar shows recycling performance at the same time last year. The green dotted line and the text in this graph show last years end of year recycling performance for each site.

Kimpton is performing slightly better than at the same point last year and has seen a reduction of 2.5% in the total tonnes accepted at the site (112 tonnes less). The site has also seen a 9% drop in the volume of residual waste compared to the same time last year. This equates to 99 tonnes.

Factory Lane performance is approximately 2% better than the same point last year. The site has seen a 7% reduction in the total site tonnages (322 tonnes) and there has been a 15% reduction in residual waste (164 tonnes less). Over the same period there has also been an increase in Green waste of 12% (98 tonnes more).

2.2.8. Green waste is delivered to the Viridor Beddington facility where it is bulked and hauled off-site for treatment in the following facilities: KPS Isfield and Pease Pottage, Woodhorn Runcton and Tangmere, Tamar Beddingham and Swanley, and Birch Airfield.

2.2.9. The green waste is processed in order to produce a BSI PAS100 compost product. Green waste tonnage data for quarter 2 by borough can be found in Appendix A table 4a.

2.2.10. Food waste is delivered to either the Beddington facility or the Villiers Road Transfer Station facility. From both sites the food is transferred by Viridor to the Agrivert Trumps Farm Anaerobic Digestion (AD) facility located in Surrey. The Agrivert facility produces a BSI PAS 110 compost product. There are no performance issues with this element of the Contract 3 service. Appendix A table 4b contains further food waste information.

2.2.11. Comingled recyclates handled under contract 3 are delivered to the Viridor Beddington facility and then transferred to the Viridor Materials Recycling Facility (MRF) located in Crayford. Contamination remains an issue and work is on-going at each of the boroughs to manage and reduce contamination and bring the material back within the specification. Please refer to Appendix A table 4c.

2.2.12. The twin stream recyclates collected by RBK are delivered to the Villiers Road Waste Transfer Station under Contract 1 and transferred by Viridor to the RBK recycling material processing contract with Veolia.

3. PHASE B UPDATE

3.1. Background

3.1.1. Viridor South London Limited ('Viridor') was formally awarded a contract for the treatment and disposal of residual waste in November 2012. The Contract involves Viridor designing, building and operating an Energy Recovery Facility (ERF) which will remain in its ownership and through which it will dispose of municipal residual waste arising in the South London Waste Partnership area.

3.1.2. Full planning consent was granted for the Construction of the ERF in March 2014, the Judicial Review concluded on the 28th April 2015, following which Viridor confirmed that Satisfactory Planning, free from legal challenge, was achieved on the 1st June 2015.

3.1.3. Financial close took place on 9th June 2015, at which point the Sterling Euro exchange rate for the construction capital was agreed and fixed, in addition, the construction indexation was also fixed. Following the agreement of the variable rates detailed above, an updated base case Financial Model was agreed by all parties and the model was locked.

Completion of the financial close stage provided a revised and more beneficial ERF gate fee for the Partnership.

3.2. Construction Phase

3.2.1. Notice to Proceed (NTP) was issued by Viridor to their engineering, procurement and construction (EPC) contractors on the 1st July 2015. Following the issue of NTP, construction works are deemed to have started, and this is termed the Works Commencement Date. The key developments in relation to the Phase B ERF construction are below:

Estimated date	Activity
Jul-15	Notice to proceed is issued 1st July 2015
Aug-15	Preparation of piling for walls
Sep-15	Demolition of existing buildings
Feb-16	New road and roundabout works commence
Oct-15	Work will start on the waste bunker
Apr-16	Waste Bunker construction becomes visible
Apr-16	Process equipment starts to arrive and visible construction is on-going
Aug- 18	ERF to be fully operational - now expected October 2018

- Main building and transfer station are very near to completion
- The plant has been independently checked, verified and signed-off for commissioning operations
- The plant started to receive waste during July
- Checks and testing using the turbine will start soon with generation of first power to follow
- The new landscaping and pond area are greening up nicely

4. RECOMMENDATIONS

4.1. It is recommended that the Joint Waste Committee:

a) Note the contents of this report, and comment on any aspects of the performance of the Partnership's Phase A & B contracts.

5. IMPACTS AND IMPLICATIONS

Legal

5.1. There are no legal considerations arising directly out of the recommendation in this report

Finance

5.2. There are no financial considerations arising directly out of the recommendation in this report

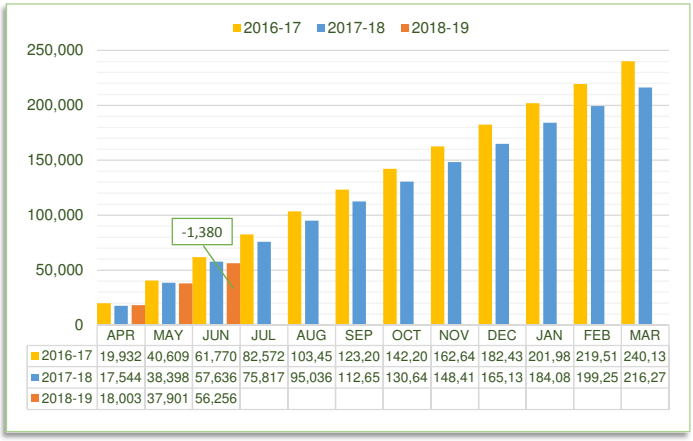
6. Appendices

6.1. Appendix A provides data on the performance of the Phase A contracts for the reporting period 1st April 2018 to the 30th June 2018.

SECTION 1: CONTRACT 1 - RESIDUAL WASTE DISPOSAL

1a - TOTAL RESIDUAL WASTE GROWTH

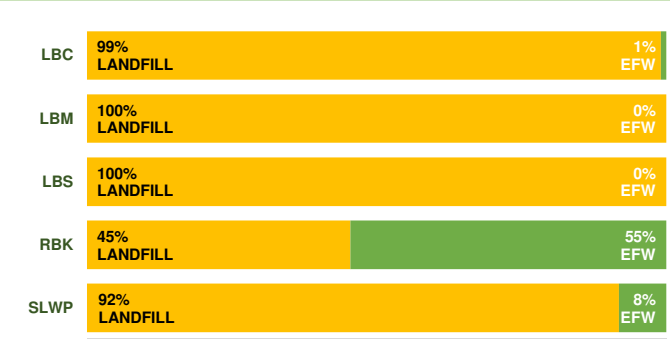
CULMULATIVE RESIDUAL WASTE - CURRENT YEAR AGAINST 2 PREVIOUS YEARS



	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR
2016-17	19,932	40,609	61,770	82,572	103,45	123,20	142,20	162,64	182,43	201,98	219,51	240,13
2017-18	17,544	38,398	57,636	75,817	95,036	112,65	130,64	148,41	165,13	184,08	199,25	216,27
2018-19	18,003	37,901	56,256									

1b - DIVERSION FROM LANDFILL

TOTAL TONNES AND % OF WASTE SENT TO ENERGY RECOVERY



	SLWP	RBK	LBS	LBM	LBC
LANDFILL	51,655	3,635	10,148	12,598	25,275
EFW	4,601	4,362	0	0	239

SECTION 2: HRRC CUSTOMER SATISFACTION SURVEYS

2a: SURVEY RESPONSES

SURVEY DATES AND NUMBER OF RESPONSES (ALL SITES)

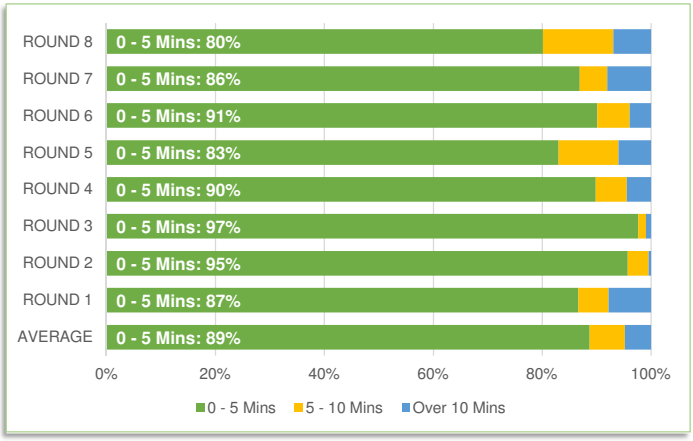
YEAR	ROUND	START DATE	END DATE	TOTAL RESPONSES
YEAR 1	ROUND 1	JULY'16	OCT'16	**2352**
	ROUND 2	NOV'16	JAN'17	**2649**
	ROUND 3	FEB'17	APR'17	**1916**
	ROUND 4	MAY'17	JUL'17	**1555**
YEAR 2	ROUND 5	AUG'17	OCT'17	**1361**
	ROUND 6	NOV'17	JAN'18	**1464**
	ROUND 7	FEB'18	APR'18	**1310**
	ROUND 8	MAY'18	JUL'18	**995**

2b: CUSTOMER FEEDBACK COMMENTS

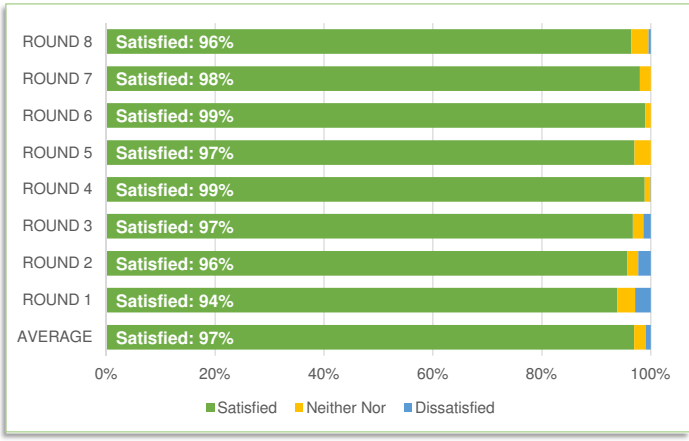
SUMMARY OF MOST COMMON COMMENTS MADE BY RESPONDENTS

RANK	COMMENT	YR 2 COUNT
1	Staff are helpful	473
2	Stairs are too steep	327
3	Site is convenient and easy to use	154
4	Site is well organised	130
5	Site has improved	95
6	More staff needed on site	83
7	Parking could be improved	66
8	Site is well run	55

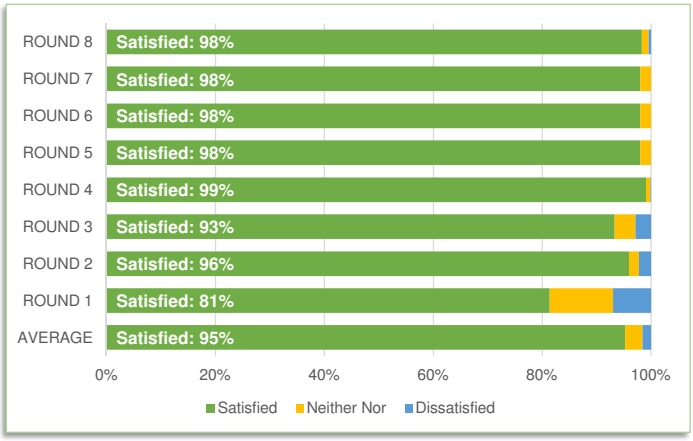
2c: HOW LONG DID YOU QUEUE TO ENTER THE SITE?



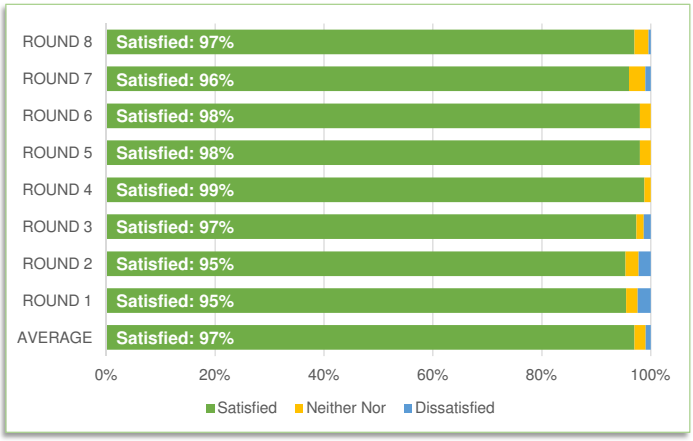
2d: HOW SATISFIED ARE YOU WITH THE CLEANLINESS OF THE SITE?



2e: HOW SATISFIED ARE YOU WITH THE SITE SIGNAGE?



2f: HOW SATISFIED ARE YOU WITH THE HELPFULNESS OF STAFF?

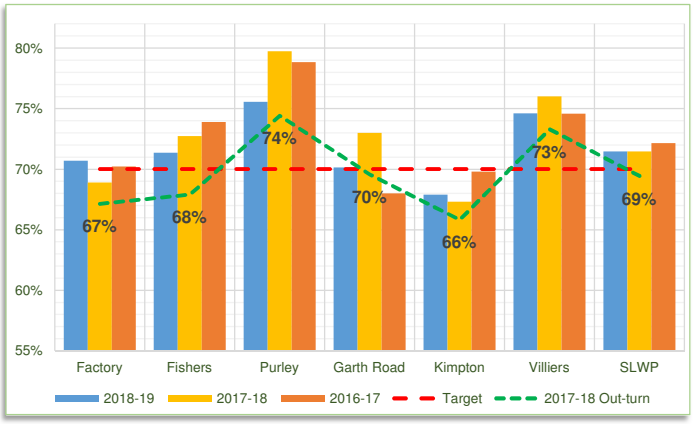


SECTION 3: HRRC RECYCLING PERFORMANCE

3a: HRRC RECYCLING PERFORMANCE
MONTHLY PERFORMANCE FOR EACH SITE AND SLWP AVERAGE

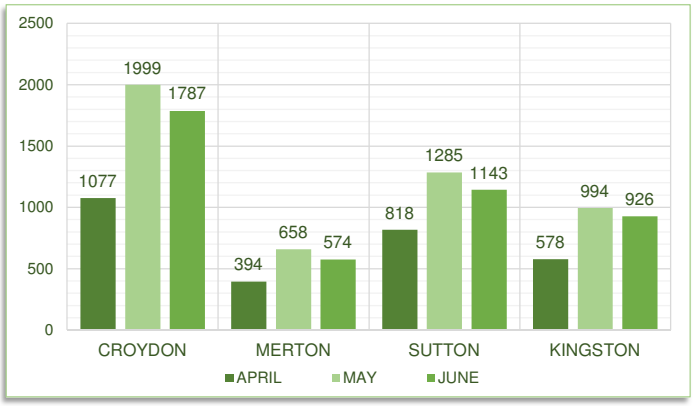
	FACTORY LANE	FISHERS FARM	PURLEY OAKS	GARTH ROAD	KIMPTON PARK WAY	VILLIERS ROAD	SLWP
APR	67%	70%	73%	70%	65%	74%	69%
MAY	73%	71%	76%	70%	69%	75%	72%
JUN	71%	73%	78%	71%	70%	75%	73%
JUL	-	-	-	-	-	-	-
AUG	-	-	-	-	-	-	-
SEP	-	-	-	-	-	-	-
OCT	-	-	-	-	-	-	-
NOV	-	-	-	-	-	-	-
DEC	-	-	-	-	-	-	-
JAN	-	-	-	-	-	-	-
FEB	-	-	-	-	-	-	-
MAR	-	-	-	-	-	-	-
YTD	**71%**	**71%**	**76%**	**70%**	**68%**	**75%**	**71%**

3b: YEAR TO DATE RECYCLING PERFORMANCE
PERFORMANCE COMPARED TO LAST 2 YEARS

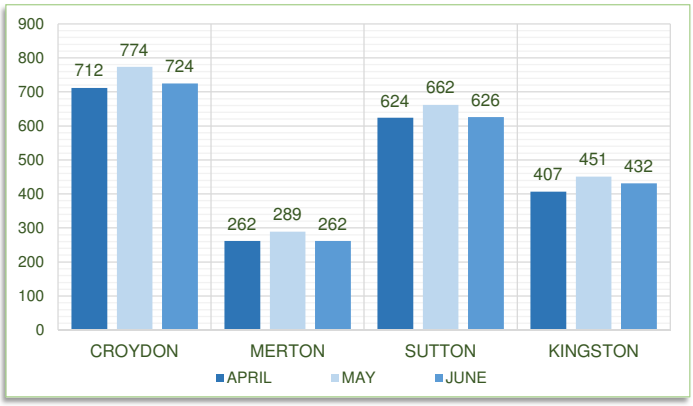


SECTION 4: CONTRACT 3 TONNAGE DATA

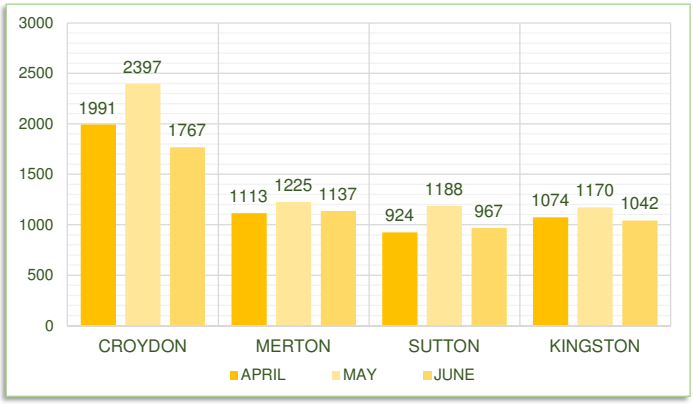
4a: GREEN WASTE TONNES BY BOROUGH
QUARTER 1 2018-19 (APRIL - JUNE)



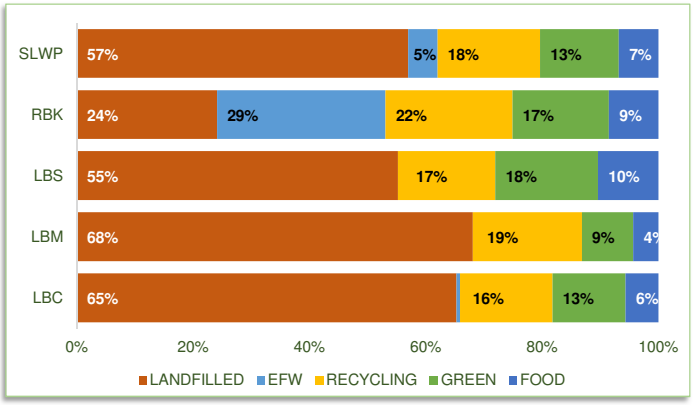
4b: FOOD WASTE TONNES BY BOROUGH
QUARTER 1 2018-19 (APRIL - JUNE)



4c: RECYCLING TONNES BY BOROUGH
QUARTER 1 2018-19 (APRIL - JUNE)



4d: WASTE ARISINGS BY BOROUGH
INDIVIDUAL WASTE STREAMS AS % OF TOTAL WASTE



SOUTH LONDON WASTE PARTNERSHIP

Report to: **South London Waste Partnership (SLWP) Joint Waste Committee**

Date: **September 2018**

Report of: **SLWP Management Group**

Chair of the Meeting:

Councilor Brunt, Chair SLWP Joint Waste Committee

Report title:

Governance Review

Summary:

At its meeting in December 2017 the Joint Waste Committee (JWC) agreed to commission a review of its governance arrangements to consider whether its remit should be expanded to include the waste collection contract. The review has involved an examination of the reports and recommendations leading to the creation of the JWC in 2007 together with all relevant subsequent documents. The Strategic Partnership Manager and each borough officer on the Partnership's Management Group has been interviewed, together with the Partnership's legal advisers.

Other waste partnerships in the England have similar Joint Committee arrangements, in particular for procuring contracts, but they vary as to their scope - some include waste collection, some do not - and they also vary as to the extent to which the operational control of waste services is vested in their Joint Committees or retained by their participating councils.

The review has identified arguments that could justify including waste collection in the scope of the Joint Committee, not least to give the Strategic Partnership Manager a line of accountability to members in relation to her high-level clienting functions. However the review has also identified arguments to justify deferring consideration of the matter until 2020 or 2021, by which time each of the boroughs must indicate to each other borough whether they wish to consider extending the current environmental services contract. If any borough does not wish to do so, a decision would have to be taken about whether the boroughs wished to re-procure a new contract jointly, or go their own way. That decision point may be the optimal moment to reconsider whether to expand the remit of the Committee.

In the meantime there are opportunities under the current terms of the Joint Committee's Constitution to consider a wide range of waste management matters, and to provide advice and support to the boroughs in discharging their waste collection and other functions.

Recommendations:

The Joint Committee is recommended to agree:

- to work both informally and formally within the existing remit of the Committee to assist the boroughs by offering non-binding guidance on waste management as a whole, and by commissioning comprehensive annual reports analysing the overall performance of the Partnership's various contracts; and

- to defer consideration of the expansion of the remit of the Joint Committee until 2020 at the earliest so that it would be ancillary to borough decisions about the extension or otherwise of the current waste collection and street cleansing contract

Annexes:

Annex 1: The remit of the Joint Waste Committee as set out in its Constitution

Annex 2: Arrangements made by other waste partnerships

Introduction

1. At its meeting in December 2017 the Joint Waste Committee (JWC) agreed to commission a review of its governance arrangements to consider whether its remit should be expanded to include the waste collection contract.

2. No consideration has been given at this stage to the inclusion of grounds maintenance services within the remit of the Joint Committee.

The review

3. The review has involved an examination of the reports and recommendations leading to the creation of the JWC in 2007 together with all relevant subsequent documents, including the various Inter Authority Agreements and the JWC's recommendations to the participating councils about the procurement of waste contracts. The Strategic Partnership Manager and each borough officer on the Partnership's Management Group has been interviewed, together with the Partnership's legal lead.

The creation and scope of the Joint Waste Committee

4. The Councils of Croydon, Merton, Sutton, and Kingston voluntarily formed the South London Waste Partnership in 2003 to explore the options for procuring waste disposal contracts jointly. By 2008 existing contracts to provide transfer, transport, and disposal to landfill, Household Reuse and Recycling Centres (HRRCs), and recyclate marketing and green waste management were due to expire in Croydon, Merton, and Kingston. Briefing documents circulated to members in 2007 indicate that the Partnership boroughs were advised that formalising their governance arrangements might increase confidence among potential bidders for these contracts that the partnership was robust and sustainable.

5. Accordingly, the Partnership boroughs formed a joint Shadow Board, and by the end of 2007 each borough had decided through its own Executive or Committee structures to participate in a Joint Waste Committee (JWC) created under the provisions of sections 101(5), 101(5B), and 102 of the Local Government Act 1972 and subsequent related legislation. By agreement with each borough the JWC was endowed with a Constitution, including a defined remit, Standing Orders, and Rules of Procedure.

6. In drafting and agreeing the Constitution the boroughs delegated powers to the Joint Committee "to make arrangements for the disposal of waste", but reserved to each borough the power to agree the award and management of any contract relating to waste disposal.

7. In 2008 the formal governance structure of the JWC was complemented by an Inter-Authority Agreement (IAA 2008) that set out the rights and obligations of the participating councils in relation to the procurement and term of the initial waste disposal contracts, together with arrangements for funding the JWC's activities. The IAA 2008 included a clause as follows:

"7.2 For the avoidance of doubt, it is agreed by the Authorities that nothing in this Agreement shall interfere with or restrict the discharge by any of the Authorities of its functions as Waste Collection Authority for its own area."

8. IAA 2008 made provision for the appointment of a Joint Waste Management Officer to exercise powers that had not been explicitly reserved to the JWC itself and to prepare a proposal for staffing for approval by the JWC. Provision was also made for a Management Group of lead officers from each borough to support and be consulted by the Joint Waste Management Officer.

A Joint Waste Authority

9. One of the original functions of the JWC was to "consider and recommend to the Participating Councils a strategy in relation to the creation of a Statutory Joint Waste Authority" (Schedule D 1.2.21), and "if agreed by the participating Councils to make an application for the creation of a Statutory Joint Waste Authority for the area" (1.2.22).

10. The matter featured on JWC agendas over the subsequent years. But the option to form a Statutory Joint Waste Authority was finally closed down by the revocation of the relevant statutory provisions by Schedule 13 Part 3 clause 4 of the Deregulation Act 2015. It is no longer open to the JWC to recommend this form of governance to the boroughs.

Decision-making by the Joint Waste Committee: the initial waste disposal and HRRC contracts and the Energy Recovery Facility (ERF) contract

11. The initial waste disposal and HRRC contracts were originally awarded by the Royal Borough of Kingston as the lead authority acting for the Partnership. Kingston's role as lead authority was later taken by LB Croydon, and it was Croydon who awarded the re-let HRRC contract and the contract relating to the ERF.

12. For all these contracts the JWC managed the procurement process, approved a preferred bidder, and recommended to the boroughs that they too should approve the preferred bidder. Borough officers then prepared their own separate reports to their member decision-makers setting out details of the JWC's findings and recommendations, and each borough Executive or Committee then took its own decision on whether to authorise the Partnership's lead authority to make the contract award.

Decision-making by the Joint Waste Committee: the environmental services contracts

13. Waste collection and other environmental services are not explicitly in the remit of the JWC, but the boroughs decided to work together to jointly procure new environmental service contracts. Following the decision to pursue the joint procurement in each borough, the arrangements for the joint procurement were agreed first by way of exchange of letters between their Chief Executives, and then by way of a further Inter Authority Agreement (IAA 2016). The details of the decision-making process were specified in IAA 2016:

"6.2 The Strategic Steering Group is made up of the Directors/Executive Directors with responsibility for Environment within each Authority. .....the Strategic Steering Group's role is to ensure that senior officers in the Authorities oversee

the deselection process and the specification as it develops at each stage of the competitive dialogue procedure up to and including the invitation to submit a final tender.

6.3 The Authorities' Executive or Committee have each respectively delegated authority to the Chair of Management Group in consultation with the Management Group, Strategic Steering Group, the SLWP Legal Lead and members of the Joint Waste Committee to deselect bidders and agree the specification at each stage of the competitive dialogue procedure up to and including the invitation to submit a final tender.

6.4 The Chair of the Management Group in consulting under Clause 6.2 with the Strategic Steering Group will be bound by the decision and recommendation of the Strategic Steering Group."

14. The JWC received a report on the outcome of the environmental services contracts procurement process and agreed to "endorse" a recommendation to the relevant borough decision making bodies. Subsequently each borough then took its own separate decision to authorise LB Croydon to make the contract award.

15. The decision-making process for the environmental services contracts was, therefore, not dissimilar to that used for the earlier waste disposal contracts. There was a difference in the language used in the JWC reports (the preferred bidders for the waste disposal contracts were "approved"; for the environmental services contracts they were "endorsed") and also a difference in the precise mechanics of the subsequent implementation of the decision. But the differences are less striking than the similarities in the underlying process.

Arrangements made by other waste partnerships

16. Other voluntary waste partnerships have formed across England before and since the SLWP was founded. Annex 2 sets out brief sketches of the arrangements agreed by some of these partnerships, which may be relevant when the JWC considers the options for its own future.

17. At a high level, the current arrangements of the SLWP are entirely consistent with those adopted in other waste partnerships, comprising a Joint Committee with a Constitution, complemented by Inter Authority Agreements that set out in detail the rights and responsibilities of participating councils. However there is considerable variation between waste partnerships in the scope of the services they include within their remit and in the way they conduct their business. Local authorities across the UK have made a variety of arrangements that suit their political and operational preferences in dealing jointly with waste disposal and collection. There is no single model or template to follow. But other partnerships have adopted constitutional provisions and methods of working that may be of interest to the SLWP when considering whether to change its remit.

OPTIONS

18. A number of options present themselves; they are not all mutually exclusive and some combination of the options below may offer the optimal way forward for the Partnership.

Option 1: Do nothing

19. During this review it was acknowledged by several borough lead officers that the exclusion of waste collection from the remit of the Joint Committee was anomalous, and that it would be neater if waste collection were to be included. On the other hand, 'do nothing' is a viable option. The current Constitution of the JWC did not prevent the Partnership from jointly procuring a waste collection and street cleansing contract together with a grounds maintenance contract. Furthermore, as noted above, the joint decision-making process used by the boroughs in relation to the environmental services contracts was similar to that adopted in relation to the earlier waste disposal contracts. This suggests that including waste collection in the remit of the Joint Committee would not necessarily make a significant difference to the way waste collection services are jointly procured in future.

20. However there is one other relevant consideration. The arrangements for clienting the environmental services contracts were agreed through IAA 2017, which specified that high-level issues were to be dealt with by the Strategic Partnership Manager and her team, and local service issues were to be dealt with by the boroughs, which retain full responsibility for monitoring borough performance indicators and for street cleansing and waste quality assurance. The lead officers can make use of their existing reporting lines to their own members on borough-level environmental services contract performance monitoring. However the Strategic Partnership Manager does not have an equivalent reporting line to members in relation to her high-level clienting responsibilities for the waste collection and cleansing contract. Adding waste collection to the remit of the Joint Committee would make it easier to establish that reporting line.

Option 2: Examine the opportunities for change offered by the SLWP's Constitution in its current form

21. The text of the remit of the Joint Committee, and the provisions of IAA 2008 quoted in paragraph 7 above, make it clear that the participating boroughs did not intend to delegate operational control of waste collection to the JWC. On the other hand there are many matters included within the scope of the Committee that at the very least touch on waste collection. These must be read in context; the remit of the Committee is headed "Waste disposal functions delegated to the Joint Committee". But it is hard to make sense of the following provisions included in the Committee's remit if they are interpreted as applying to waste disposal alone (see Annex 1 for the full list of delegated functions):

"1.1.4 To advise and give guidance to participating Councils on how waste is to be separated (taking account of existing waste disposal arrangements)

1.1.5 To advise and give guidance to participating Councils on how and where waste collected by them is to be delivered (taking account of existing waste disposal arrangements)

1.1.6 To advise participating Councils on how to expedite the minimisation of controlled waste in the area of participating Councils.

1.1.14 To devise a joint waste strategy designed to reduce biodegradable municipal waste going to Landfill and recommend to participating councils

1.2.1 Provide the forum and mechanisms for ensuring that there is a coherent programme and organisational structure for waste management and for joint working;

1.2.17 To comment on any proposed planning application to be made by one of the Participating Councils for waste management facilities in the area

1.2.20 Develop proposals for the future development of waste management through the Draft Rolling Business Plan, such proposals to include the possible creation of separate entities to undertake particular lines of activity, the delivery and ongoing management of a particular service or activity, the commissioning of research, public awareness campaigns, and the provision of training and consultancy services;

1.2.23 Develop proposals on how the Participating Councils can discharge their functions generally in the field of waste disposal to promote and/or improve the economic, social and environmental well-being in the Area of Participating Councils and contribute to the achievement of sustainable development, including in particular:-

a) waste minimisation generally
b) the reduction of waste going to landfill on a year by year basis
c) the development of alternative methods of disposal
d) an increase in the proportion of waste being recycled on a year by year basis"

22. These delegated functions define the Committee's strategic and advisory role in relation to waste management generally, not just to waste disposal. In the words of IAA 2008 they do not "interfere with or restrict" the way the boroughs discharge their responsibilities as waste collection authorities. But they do enable the Joint Committee to assist the boroughs by offering non-binding guidance on waste management as a whole, and by developing proposals on waste reduction and recycling for the boroughs to consider.

23. In this sense, elements of the management of the waste collection services are arguably already within the remit of the Joint Committee, and without making any change in its Constitution the Committee could if it wished commission work to discharge the functions listed above - always subject to the limits specified in IAA 2008.

Option 3: Defer consideration of any change in the Constitution until the current waste collection and cleansing contract is fully stabilised

24. The mobilisation of the joint waste collection and street cleansing contract has not been without its difficulties. Currently borough officers in Sutton, Merton, and Croydon are focused on working with the contractor to fine-tune and improve local

operations, and it will not be until 2019 that Kingston joins fully in the shared service arrangement.

25. Furthermore, under the provisions of IAA 2017 (clause 6.5), each borough must inform each other borough no later than 54 months before the termination of the contract (i.e. by 30 September 2020) whether they wish to consider the extension of the waste collection and street cleansing contract. They must also inform each other borough no later than 42 months before termination (i.e. by 30 September 2021) whether in fact they do wish to be party to such an extension. These deadlines are not far away. The analysis and discussion within each borough that will be necessary before these decisions can be taken will need to start by April 2020 at the latest.

26. These issues taken together mean that the Joint Committee may wish to defer its consideration of any change in its remit to include waste collection and cleansing until a decision has been taken by each of the boroughs - in the light of its local experience and preferences - on whether or not to extend the current contract. In the event of an agreement to extend, the Joint Committee would know that the current contract would not terminate for over 11 years. This would be a substantial period of time in which the Committee could, if the boroughs agree, develop its strategic oversight of the contract and perhaps even its operational oversight. However, in the event that one or more boroughs decides not to extend the contract, the boroughs would then have to make alternative arrangements. These could include the joint procurement of another contract by a Joint Committee that was explicitly empowered to do so by a change in its remit agreed by the boroughs. Alternatively - if there were no agreement between all four boroughs to pursue a further joint procurement - there would be a strong argument for not including waste collection explicitly in the remit of the Joint Committee. Two or three boroughs could then pursue a joint procurement simply by agreeing a new IAA between themselves.

Option 4: Include waste collection and street cleansing explicitly within the remit of the Joint Committee, and do so now

27. The only change required would be to Schedule 1 of the Constitution as set out in Annex 1. The word 'Disposal' could be deleted and replaced by 'Management' in the heading and in clause 1.2.23. Clauses 1.2.13 and 14 could be amended to read:

"In relation to contract issues

1.2.13 Undertake the procurement of all new waste management and street cleansing contracts in the area

1.2.14 If specifically agreed by all the Participating Councils award and manage waste management and street cleansing contract(s) in the area"

28. This change would mean that in future the Joint Committee could handle the procurement of all types of waste contract in exactly the same way, without needing in the case of waste collection to work around the restrictions on its remit imposed by the current Constitution. It would reserve to the boroughs the power at some future date to delegate more of the operational management of the contracts to the Partnership, something that would also require a modification of the borough clienting arrangements set out in IAA 2017.

29. However there is a difficulty with Option 4. If in either 2020 or 2021 there were no agreement between all four boroughs to pursue a further joint procurement, the

Joint Committee would have to change its Constitution again, reversing out of the decision to include waste collection in its remit, or it would have to draft new arrangements to deal with the voting rights, and access to confidential papers, of any borough that had decided to pursue its own local solutions for waste collection outside the Joint Committee. Those changes are not impossible to draft, so this would not be an insuperable obstacle. But members may prefer to avoid the risk of creating such difficulties this side of the decision on whether or not to extend the environmental services contracts.

A REVIEW OF THE OPTIONS

30. A case can be made for any of these options, but some are stronger than others.

31. Members may take the view that the negative considerations set out in relation to Option 4 mean that it should not be pursued at present. Members may also be reluctant to take Option 1 - 'do nothing' - preferring the view that at some point in the foreseeable future the Strategic Partnership Manager should have a clearer reporting line to members on her high-level clienting responsibilities. These two options are not recommended.

32. On the other hand Option 2 looks promising, and this review recommends that the Joint Committee should consider making fuller use of its existing remit to assist the boroughs in managing waste collection by providing co-ordinated strategic advice and guidance on issues of common concern. The clauses from the Constitution quoted under Option 2 show what could be done in general terms. By way of example, the issues that could be considered by the Joint Committee under its existing terms of reference could include:

- further consideration of the circular economy, building on the workshop members have already attended on the issue
- the implications for recycling markets of China's tightening quality controls on imports of recyclates
- the implications of Brexit, and the risks and opportunities involved in any long-term shift away from our current dependence on EU waste legislation
- current best practice and policy advice to boroughs on 'preventable plastics'
- the implications for recycling targets of deposit/return schemes for containers
- the implications for residual waste disposal of plans to construct a third runway at Heathrow, thus demolishing Viridor's ERF at Lakeside
- the scope for further promoting re-use and waste minimisation across the Partnership
- the implications of changing demographics or patterns of land use across the Partnership area
- opportunities to improve waste services arising from new technologies

- the risks and opportunities involved in any attempt to make relevant IT systems converge across the boroughs

- optimising cross-boundary services and collection routes

- common standards of waste enforcement, and the prevention of fly-tipping

33. Some of these topics will be commercially sensitive, or will involve a 'free and frank' discussion of policy options and risks. It may well be preferable to conduct such discussions in informal workshops to enable members freely to explore all the issues at stake before giving a steer to officers on developing more formal proposals to go the Joint Committee itself. In particular, if members decide - now or later - to include waste collection in the remit of the Committee, they are likely to want to consider the following issues, first informally and then formally, and in both cases with a view to making recommendations to the boroughs:

- oversight of any revisions to the current waste collection specification as part of any negotiation around contract extension

- oversight of the development of a new specification for waste collection and cleansing before any reprocurement of services

34. It lies outside the scope of this review to make recommendations about how the discussion of such topics by members of the Joint Committee could best be facilitated. There would be various options which are not mutually exclusive - borough officers could take it in turns to make presentations to members; waste industry speakers could be invited to attend workshops, and in particular the contractors' policy specialists could be invited to share their companies' research findings; the Partnership's client team could be augmented by appointing a waste strategist. More important than how it is done, though, is whether the Joint Committee agrees in principle that the type of strategic issues listed above ought to be prominent on its agendas. And whether, in consequence, the routine presentation of detailed performance data to the Committee would be better condensed into a comprehensive annual report analysing the overall performance of the contracts. It is for members to decide what they want to see on their agendas, but it seems likely that this approach would be significantly more interesting for members and more useful to the boroughs.

35. Option 3 follows logically from any rejection of Options 1 and 4. It implies an acceptance of the desirability in principle, at some point in future, of expanding the remit of the Joint Committee to include waste collection. However Option 3 proposes deferring that decision for two or at most three years until the environmental services contract is stabilised and until the boroughs know whether or not they all intend to extend the existing contract, or jointly procure another one.

RECOMMENDATIONS

36. The Joint Committee is recommended to approve:

- **Option 2** - working both informally and formally within the existing remit of the Joint Committee to assist the boroughs by offering non-binding guidance on waste management as a whole, and by commissioning comprehensive annual reports analysing the overall performance of the Partnership's various contracts, and

- **Option 3** - defer consideration of the expansion of the remit of the Joint Committee until 2020 at the earliest so that it would be ancillary to borough decisions about the extension of the current waste collection and street cleansing contract

IMPACTS AND IMPLICATIONS

Legal

There are no legal considerations arising directly out of the recommendation beyond those already contained in the body of this report. However, it is worth noting that should the Partnership boroughs wish at any point to expand the remit of the South London Waste Partnership's Joint Waste Committee, it will be important to follow the appropriate governance processes for each Council under their individual constitutions and to ensure compliance with Section 101 of the Local Government Act 1972. Detailed legal advice on those processes should be sought at the appropriate time.

Finance

There are no financial considerations arising directly out of the recommendation in this report

ANNEXES

Annex 1: The remit of the Joint Waste Committee as set out in its Constitution

Annex 2: Arrangements made by other waste partnerships

Annex 1

The remit of the Joint Waste Committee as set out in its Constitution (2007 text)

SCHEDULE 1

WASTE DISPOSAL FUNCTIONS DELEGATED TO THE JOINT COMMITTEE

1. The **FOLLOWING** functions (together with any additional functions delegated to it by the Participating Councils from time to time) are delegated to the joint committee.

1.1 To make arrangements for the disposal of waste, provide places for the deposit and disposal of waste and to advise participating councils on the delivery and separation of waste. In this regard the following functions are delegated within the terms of reference set out in paragraph 1. 2 of this schedule 1.

Environmental Protection Act 1990

1.1.1 Arrange for the disposal of waste collected by the participating Councils
1.1.2 Make arrangements of providing places where residents of the participating Councils may deposit waste (Civil Amenity Sites)
1.1.3 Make arrangements for disposing of waste delivered to civil amenity sites by residents of participating Councils
1.1.4 To advise and give guidance to participating Councils on how waste is to be separated (taking account of existing waste disposal arrangements)
1.1.5 To advise and give guidance to participating Councils on how and where waste collected by them is to be delivered (taking account of existing waste disposal arrangements)
1.1.6 To advise participating Councils on how to expedite the minimisation of controlled waste in the area of participating Councils.
1.1.7 To use waste for the production of heat and/or electricity
1.1.8 To buy waste for purposes of recycling
1.1.9 To use or sell waste or anything produced from such waste.
1.1.10 To sell or otherwise dispose or residual waste
1.1.11 To keep records of waste, transfer notes received and transferred.

Waste and Emissions Trading Act 2003

1.1.12 To devise and recommend a strategy for trading in LATS to the participating Councils.

WEE Regulations 2006/3315

1.1.13 To recommend for participating Councils which sites and facilities within the area of the participating Councils are to be Designated Collection Facilities

Landfill Regulations 2002/1559

1.1.14 To devise a joint waste strategy designed to reduce biodegradable municipal waste going to Landfill and recommend to participating councils

1.2 In support of, and to achieve the statutory functions listed in this schedule, the joint committee will operate within the following terms of reference.

Generally

1.2.1 Provide the forum and mechanisms for ensuring that there is a coherent programme and organisational structure for waste management and for joint working;

1.2.2 Create sufficient critical mass to ensure that the rolling Business Plan and Annual Action Plan represent a commercially attractive proposition to the private sector;

1.2.3 Make recommendations to the Participating Councils to secure resources as required to meet the Objectives;

1.2.4 Keep under review the way the Joint Committee works with the private sector, whether through a formal partnership with a private sector body(ies), or through a preferred supplier mechanism or by a tendering process for each activity;

1.2.5 Ensure that the Joint Committee and the Participating Councils keep abreast of legislative changes and/ or direction of statutory and non statutory guidance, and to ensure that sufficient flexibility is incorporated into the terms of any contract let on its behalf to ensure compliance with new or changed statutory duties of the Participating Councils

1.2.6 Produce, for consideration of the Participating Councils, the Draft Rolling Business Plan and Annual Action Plan, and to implement the Approved Business and Action Plans;

1.2.7 Ensure that an appropriate exit strategy is in place for each project or activity for which there are contractual obligations, and that appropriate post implementation reviews are conducted;

1.2.8 Influence, advise and lobby Central Government and other agencies (whether locally, nationally and internationally) where this is felt to be consistent with the Objectives, and respond to Consultation on relevant proposed legislation

1.2.9 Apply for any external funding required to achieve the Objectives of the Joint Committee including PFI credits where applicable.

1.2.10 Commission research and public opinion surveys into matters relevant to the Objectives;

1.2.11 Do anything which is calculated to facilitate or is conducive or incidental to any of the functions set out in this Schedule

1.2.12 Make decisions within the confines of current policies of Participating Councils.

In relation to contract issues

1.2.13 Undertake the procurement of all new waste disposal contracts in the area

1.2.14 If specifically agreed by all the Participating Councils award and manage waste disposal contract(s) relating to the exercise for the delivery of waste disposal in the area

1.2.15 Contribute to the production of the Joint Waste Development Plan Document for the area and to any documents that contain waste land use planning policies issued by the Participating Councils

In relation to planning issues

1.2.16 Recommend to any of the Participating Councils to make a planning application on land within its area to facilitate the objectives of the Joint Committee

1.2.17 To comment on any proposed planning application to be made by one of the Participating Councils for waste management facilities in the area

1.2.18 To consider and if necessary respond to all planning applications that are submitted for the development of waste facilities in the area

In relation to land issues

1.2.19 To prepare and maintain a register of “key waste disposal sites” which each of the Participating Councils has identified as a site which, in accordance with this

Agreement, will be held for the purposes of the achievement of the objectives of the Joint Committee.

In relation to future arrangements

1.2.20 Develop proposals for the future development of waste management through the Draft Rolling Business Plan, such proposals to include the possible creation of separate entities to undertake particular lines of activity, the delivery and ongoing management of a particular service or activity, the commissioning of research, public awareness campaigns, and the provision of training and consultancy services;

1.2.21 Consider and recommend to the Participating Councils a strategy in relation to the creation of a Statutory Joint Waste Authority including criteria for making an application for the creation of such an Authority.

1.2.22 If agreed by the participating Councils to make an application for the creation of a Statutory Joint Waste Authority for the area and to oversee its implementation.

1.2.23 Develop proposals on how the Participating Councils can discharge their functions generally in the field of waste disposal to promote and/ or improve the economic, social and environmental well-being in the Area of Participating Councils and contribute to the achievement of sustainable development, including in particular:-

a) waste minimisation generally
b) the reduction of waste going to landfill on a year by year basis
c) the development of alternative methods of disposal
d) an increase in the proportion of waste being recycled on a year by year basis

Arrangements made by other waste partnerships

Surrey Waste Partnership

The Surrey Waste Partnership comprises Surrey County Council as the disposal authority and 11 district or borough councils which are waste collection authorities. In 2013 five of those district or borough councils together with Surrey County Council agreed that they would establish a Joint Waste Collection Services Committee under the provisions of the Local Government Act 1972. The Constitution of the Joint Committee states that its purpose is "to improve the quality and effectiveness of the discharge of their waste management functions..., in particular the joint procurement of a contract to deliver associated waste services.... This working together shall also include working in partnership with Surrey County Council as the Waste Disposal Authority to maximise integration opportunities". The Constitution limits the Joint Committee's powers, reserving strategic and budget decisions to the Executives or Committees of the participating councils.

The six participating councils signed an Inter Authority Agreement to procure jointly a single waste collection, recycling, and street cleansing contract. This contract was ultimately signed in 2017. Other Surrey collection authorities can choose to join in the contract as their current contracts expire, subject to the agreement of the founding members of the Joint Committee.

The joint contract is managed by the new company Joint Waste Solutions plc, whose Director is the Executive Head - Community at Surrey Heath DC. The company is governed by the Joint Committee and hosted by Surrey Heath. Joint Waste Solutions also runs education and outreach functions across the County as a whole.

Somerset Waste Partnership

The six authorities comprising the Somerset Waste Partnership have established a Joint Committee, whose Constitution is supplemented by Inter Authority Agreements. The Partnership comprises the County Council as the disposal authority and five district or borough councils which are waste collection authorities. Contracts are let by the County Council as the 'Administering Authority', which is also responsible for establishing a 'Single Client Group' of officers. The Joint Committee is empowered to discharge each authority's statutory functions "with respect to waste disposal, waste collection and recycling of waste". There is a strong emphasis in the Constitution on the production each year of a five-year Business Plan, which must be endorsed by each of the boroughs' Executives or Committees before it can be implemented.

One interesting feature of the Somerset IAA is that it makes provision for any partner borough to serve a 'Partner Notice of Change' upon the Administering Authority, through which an estimate of the costs, or savings, arising from an adjustment to the scope of the services provided to the partner borough shall be obtained from the contractor. Broadly speaking, subject to consultation and the requirement to compensate other partners for any losses consequent on the change, the borough proposing the change may require that it shall be implemented. That said, a borough may not propose a change that would "substantially alter" the scope of the services.

Dorset Waste Partnership

The seven local authorities in the Dorset Waste Partnership have also established a Joint Committee with a Constitution supplemented by an Inter Authority Agreement. As with

Somerset, 6 district councils and waste collection authorities have formed a partnership with Dorset County Council which is the disposal authority. The County Council acts as the 'Host Authority', providing administrative, technical, and legal services to the partnership.

The partner boroughs have delegated to the Joint Committee their functions "in relation to waste disposal or waste collection, the recycling of waste and street cleansing". The Constitution delegates full operational authority to the senior management team, but specifies that "the Joint Committee shall provide strategic oversight and [the] policy framework within which the Director and Senior Management Team will operate".

As in Somerset the annual Business Plan is the guiding document, and each participating authority has the right to vary service levels and resource inputs up or down provided that other partners are not affected adversely.

Hampshire - Project Integra

Fourteen different councils, together with a representative of their contractor (currently Veolia), participate in Hampshire's 'Project Integra Strategic Board'. The County Council is a member, together with 11 waste collection authorities and two unitary authorities with responsibility for both disposal and collection. The partnership began in 1995, and in 2001 the councils agreed to set up a Joint Committee ('the Board') "in order to increase clarity, accountability and respond in a more effective and coordinated way to new challenges".

The Board's function is "to develop a strategic policy framework within which the Partner Authorities can each discharge their functions as waste disposal authority or waste collection authority (as the case may be) and as set out in the Joint Municipal Waste Management Strategy..." The Board may:

> "...discharge, on behalf of the Partner Authorities, their functions in respect of the making of arrangements for the recycling of waste, where such arrangements:
>
> (a) Affect two or more of the Partner Authorities; and
> (b) Have been authorised by all of the Partner Authorities by being specifically referred to in the Approved Action Plan."

In an interesting formulation, one of the purposes of the Board is to "maximise value for money by considering the system as a whole through delivery of an integrated waste management process". However in practice the core function of Project Integra is to deliver waste disposal functions. Each collection authority has made its own contractual or in house arrangements for waste collection.

The Barnsley Doncaster Rotheram (BDR) Partnership

Barnsley, Doncaster, and Rotheram Councils have established a Joint Waste Board, to "jointly manage" waste generated in the three boroughs. The Partnership obtained PFI funding to build new waste treatment and disposal facilities which became operational in 2015. The relationship between the partners is governed by Inter Authority Agreements. Through one of the IAAs the partners agreed to establish a Joint Committee under the Local Government Act 1972 to oversee the partnership's disposal contract. No provision is made by the Partnership for the management of other functions.

SOUTH LONDON WASTE PARTNERSHIP

Report to: **South London Waste Partnership (SLWP) Joint Waste Committee**

Date: **Tuesday 11 September 2018**

Report of: **South London Waste Partnership Management Group**

Author(s):
Michael Mackie, Finance Lead

Chair of the Meeting:
Cllr M Brunt

Report title:
SOUTH LONDON WASTE PARTNERSHIP BUDGET UPDATE MONTH 4 2018/19
Summary This paper provides an update on the Partnership's budget position for month 4 (July) of the financial year and the projected outturn for the 2018/19 financial year.
Recommendations To note the content of this report.
Background Documents and Previous Decisions Previous budget reports.

1. Background

1.1 The Partnership sets it budget in December for the forthcoming financial year.

1.2 The budget is monitored by Management Group every month to allow the budgets to be flexed where appropriate in order to respond to any budget pressures.

2. Financial Position 2018/19

2.1 The table below refers to the Partnership's budget position for its Strategic Management activities for month 4 (July) of the 2018/19 financial year. It relates to expenditure in the following areas; procurement, project management, administration, contract management and communications.

Item	Approved Budget £	Actuals £	Anticipated Outturn £	Variance £
Internal and External Advisors	175,000	0	175,000	0
Project & Contract Management	500,000	158,746	500,000	0
Document and Data Management	24,000	11,811	24,000	0
Communications	25,000	6,820	25,000	0
TOTAL	**724,000**	**177,377**	**724,000**	**0**
COST PER BOROUGH	**181,000**	**44,344**	**181,000**	**0**

2.2 The Partnership's budget for Strategic Management activities at month 4 continues to forecasts that spend will be as per budget, therefore there are no variations to report

3. Recommendations:

3.1 To note the content of this report.

4. Impacts and Implications:

Finance

4.1 Contained within report.

SOUTH LONDON WASTE PARTNERSHIP

Report to: **South London Waste Partnership (SLWP) Joint Waste Committee**

Date: **Tuesday 11 September 2018**

Report of: **South London Waste Partnership Management Group**

Author(s):
Michael Mackie, Finance Lead

Chair of the Meeting:
Cllr M Brunt

Report title: **SOUTH LONDON WASTE PARTNERSHIP DRAFT BUDGET FOR 2019/20**
Summary This paper provides the proposed budget for the Partnership for 2019/20 for its core activities.
Recommendations 1. To agree the proposed draft budget for the core activities of the Partnership as set out in 2.1 and request individual boroughs to consider and agree the resources required in consultation with borough Finance Directors.
Background Documents and Previous Decisions Previous budget reports.

1. Background

1.1. The Partnership is required to produce a draft budget for consideration by the Joint Waste Committee by 31st October each year. In accordance with the Inter Authority Agreement (IAA) the agreed draft budget is then subjected to consideration by the individual boroughs before a finalised budget is taken to the Joint Waste Committee for approval. The IAA sets out that the final budget must be approved by 31st December each year.

2. Issues

2.1. The table below details the estimated draft budget requirement of the Partnership for 2019/20 together with the approved 2018/19 budget for comparison.

Core Activities

Item	2018/19 Approved Budget £	2019/20 Proposed Budget £
Internal & External Advisors and Accounting	175,000	127,500
SLWP Staff Resources	500,000	598,700
Document and Data Management	24,000	24,500
Communications	25,000	65,500
TOTAL	**724,000**	**816,200**
COST PER BOROUGH	**181,000**	**204,050**

2.2. The increase over 2018/19 provides for pay increase and inflation of 2%

2.3. The Internal & External Advisors and Accounting budget allows the Partnership to engage external and internal advisors to provide expert legal, financial and technical advice in respect of all the partnerships contracts (Phase A, Phase B, HRRCs and Environmental Services). This also includes costs from Kingston for providing finance activities for managing Phase A transactions (£25.5k), costs from Croydon for providing finance activities for Phase B, the HRRC and the Environmental Services contract transactions (£25.5k). The 2018/19 budget provided a one-off additional resource for external advisors for the first annual review of the Environmental Services contract for both Lots 1 and 2, and to assist with any issues arising from the commissioning of the ERF. The additional one-off resource has been removed for 2019/20.

2.4. The SLWP Staff Resources budget contains provision for eight posts.

1. Strategic Partnership Manager
2. Contract Manager (Phase A and B)
3. Project Support Officer
4. Contract Data Officer x 2
5. Communications officer
6. Contract Manager (Phase C - Lot 1)
7. Contract compliance officer
8. Waste Strategy Officer (new post)

The budget includes the new post of Waste Strategy Officer. The introduction of this post is subject to agreement from officers in each borough through the

SLWP's Management Group. A business case for the post will be presented to boroughs in the autumn and, if agreed, the post's cost will be included in the final JWC budget for the committee's consideration in December, otherwise this cost will be removed.

2.5. Document and Data Management provides data storage for the Partnership's data room to allow the sharing of documents across the Partnership and for storage of project documentation in an online library which is available on-licence to authorised stakeholders.

2.6. The communications budget of £65.5k is for planning and delivering communications activities and for carrying out a residents survey during 2019/20.

3. Recommendations

3.1. To agree the proposed draft budget for the core activities of the Partnership as set out in 2.1 and request individual boroughs to consider and agree the resources required in consultation with borough Finance Directors.

4. Impacts and Implications:

Finance

4.1 Contained within report.

Legal

4.2 Section 9 of the Inter Authority Agreement sets out the budget setting process for the Joint Waste Committee. This is referred to within the body of the report

5 Appendices

5.1 None

This page is intentionally left blank

SOUTH LONDON WASTE PARTNERSHIP

Report to: **South London Waste Partnership Joint Committee**

Date: **11 September 2018**

Report of: **South London Waste Partnership Management Group**

Author(s):
John Haynes (South London Waste Partnership Communications Advisor)

Chair of the Meeting:
Councillor Mike Brunt, Chair of the South London Waste Partnership Joint Committee

Report Title:

Communications and Engagement
South London Waste Partnership - Phase A and Phase B contracts

Summary

This paper provides an update to members of the South London Waste Partnership Joint Committee on communications and stakeholder engagement activities relating to the Partnership's Phase A (transport & residual waste management, HRRC services and marketing of recyclates) and Phase B (residual waste treatment) contracts.

This report focuses on activity that has taken place between June and August 2018.

Recommendations

The Committee is asked to note the contents of this report and comment on any aspects of communications and engagement activities relating to the Phase A and Phase B contracts.

1. PLASTIC PLANET CAMPAIGN

1.1 The 'Plastic Planet' public awareness campaign will use targeted paid-for social media advertising to:

- Highlight the fact that 79% of the plastic waste ever created is still in the environment – encouraging residents to reduce their use of single-use plastics and to recycle as much of their

unavoidable plastic waste as possible.

- Utilise a series of short (15-second), eye-catching videos created by WRAP, focusing on the effects that plastic waste has on wildlife (sea life in particular) and the environment.
- Be delivered via Facebook and Instagram platforms to residents who live in the four SLWP boroughs (16-34 year olds in particular).
- Be delivered over a 6-week period.
- Achieve (targets) 1.09 million impressions; 11,760 10-second views; and 1,000 click-throughs to supporting information on the SLWP website.
- Focus on high quality engagement – residents who watch the video for 10 seconds+ or who click on the link will be re-targetted 24 hours later with a second post inviting them to make a simple pledge to recycle more plastic – 'Click share to care'. Target = 1,500 pledges.
- The total spend will be £7,500 (met from the SLWP Communications Budget). £5,450 of this will be advertising spend.

1.2 At the June 2018 meeting of the SLWP Joint Committee, Members of the Committee were updated on the Plastic Planet campaign and informed that it would be delivered over the summer months.

1.3 In July 2018, the National Audit Office (NAO) published a report in which it criticised the Environment Agency for not carrying out adequate checks to ensure that all plastic packaging sent overseas for recycling is actually being recycled. The NAO report focused on the 'packaging obligation system', a government-led packaging industry initiative which aims to ensure that more plastics are recycled. But it attracted widespread media coverage and led to understandable concerns amongst members of the public that the materials they diligently sort out for recycling every week are not being handled in a responsible way.

1.4 In light of the NAO report and resulting press coverage, the decision was taken that implementation of the Plastic Planet campaign should be delayed to allow the scope of the campaign to be widened and provide local residents in the SLWP region with additional reassurance that their plastic recycling is handled responsibly and that their recycling efforts are worthwhile. The supporting campaign information on the SLWP website will be expanded to include information on where recycling (and plastics in particular) are taken after they've been collected from the doorstep, who handles them and what they are turned into.

1.5 The Plastic Planet campaign is now due to launch in September 2018. The SLWP Communications Advisor will report back on the success of the campaign at the next meeting of the Joint Committee.

2. PHASE A BACKGROUND

2.1 The Phase A contracts encompass transport & residual waste management, HRRC services and marketing of recyclates.

2.2 From a communications and stakeholder engagement perspective, the elements of the Phase A contracts that are of most significance are:

- the management of the six Household Reuse, and Recycling Centres (HRRCs), and
- the landfill operations at Beddington.

3. HOUSEHOLD REUSE AND RECYCLING CENTRES (HRRCs)

3.1 This contract is operated by Veolia on behalf of the Partnership.

3.2 Veolia continues to conduct customer satisfaction surveys with users of the six HRRC sites. The findings of the latest round of surveys were reported at the last Joint Committee meeting.

3.3 Material information signs are being produced for the six HRRC sites. These signs will be in the shape of the recognised WRAP 'good to know hearts' and will provide site users with information on what their waste materials are recycled into.

3.4 The initial phase will focus on the following materials: household appliances, scrap metal, small electrical items and wood waste. The signs will be installed across the HRRC sites in the coming weeks.

4. BEDDINGTON LANDFILL OPERATIONS

4.1 This contract is operated by Viridor on behalf of the Partnership.

4.2 The focus of communications and engagement activities has been two-fold:

- Educating local residents and key stakeholders about the landfill operations at Beddington – i.e. how it is providing vital waste disposal capacity for hundreds of thousands of local households and businesses and how the site is being managed in order to minimise any negative environmental impacts;
- Providing information on how the 120-hectare Beddington Farmlands site (which incorporates the landfill) is being restored

into a rich patchwork of habitats for wildlife with public access.

4.3 Viridor held an Open Day at the Beddington site on Thursday 14th June 2018, which was attended by 24 members of the community. This was the first open day this year and followed successful events in 2016 and 2017. The event was aimed at members of the community (visits for councillors and other stakeholders can be arranged on request).

4.4 Places at the Open Day were allocated on a first-come-first-serve basis with all but one available spaces taken (capacity = 25). Members of the Joint Committee felt the event could have been publicised more widely, and the SLWP Communications Advisor will work with Viridor and the borough communication teams to ensure there is greater awareness of future Open Day events.

4.5 The SLWP Communications Advisor was in attendance at the Beddington Community Liaison Group meeting held on 19th July 2018. Members of the Group were provided with updates on the landfill restoration project and a presentation from Eneteq Service, the company installing the district heating network pipeline between the Beddington ERF and the New Mill Quarter development in Hackbridge, on behalf of the Sutton Decentralised Energy Network (SDEN). No significant issues or concerns were raised by community representatives at the meeting.

5. PHASE B BACKGROUND

5.1 The Phase B contract (residual waste treatment) was awarded to Viridor in 2009. In order to fulfill the contract, Viridor are constructing a £205m state-of-the-art Energy Recovery Facility in Beddington that will become operational in autumn 2018. Household waste from the four Partner boroughs that has not been sorted by residents for recycling will be treated at the facility and turned into electricity.

5.2 The SLWP Communications Advisor continues to work closely with Viridor to:

- Ensure Viridor are meeting their contractual requirements with regards to communications and stakeholder engagement around the construction of the Beddington ERF
- Ensure local people understand why it is we need an ERF and provide reassurance around the safety of modern, well-run facilities such as this
- Ensure the Partnership understands the views of local people with regards to waste treatment and ERF technologies in particular.

6. BEDDINGTON ERF COMMUNICATIONS AND STAKEHOLDER ENGAGEMENT

6.1 The ERF is nearing completion and is currently in its commissioning phase – when each component and process is tested to ensure it is operating correctly and within the strict emissions limits.

6.2 With the ERF due to become operational in the autumn 2018, attention is now focused on how the local community and other stakeholders will be engaged with once commissioning is complete and the ERF is treating the Partnership's residual waste.

The SLWP has been working closely with Viridor in recent months to develop the ERF visitor and community engagement offering. These discussions have been heavily influenced by the feedback received from Members at the workshop held on 12th September 2017, where Viridor's initial outline proposals, along with their planning and contractual obligations, were considered.

6.3 Discussions with Viridor are ongoing, and some of the finer details are yet to be confirmed, but the following paragraphs provide an update on Viridor's latest position in relation to visitor and wider community engagement post autumn 2018.

6.4 <u>The Beddington ERF Education Centre</u>
The Education Centre will be a purpose-built room located on the upper (1st) floor of the administration building. The room will be able to accommodate 25 visitors at any one time and will form the focal point of any visits to the site by external stakeholders and members of the public. Visits will need to pre-arranged through Viridor's Education and Community Benefits Officer, who has now been appointed and will be joining the Viridor team in September 2018.

The room will be furnished with chairs, tables and audio-visual equipment to deliver presentations. An explanatory video from inside the ERF will be available to help explain technical information or to provide visitors with a 'virtual tour' of the facility. A feed showing emissions monitoring data will also be available, along with supporting information on how emissions are controlled and independently monitored by the Environment Agency.

There will be professionally-designed and produced information panels to inform and educate visitors around:

- Waste management in the four SLWP boroughs
- Energy recovery technology
- Historic uses of the site, including landfill
- The nature conservation objectives for the site
- Restored wildlife habitats and the Wandle Valley Regional Park

The SLWP is liaising with Viridor on the production of these information boards.

The room will lead directly on to an external platform from where visitors will be able to view the restored landfill and wildlife habitats. A blackboard/noticeboard will feature updates from the Site Warden on recent significant sightings of wildlife at the site.

6.5 Guided tours

12 tours of the facility will be organised each year for schools, community groups and individual local residents with an interest in activities on the site.

Groups and individuals will be able to register their interest in a guided tour of the facility via an online booking system on the Viridor website (see below), or by phoning the Education and Community Benefits Officer if they do not have computer access. Dates for forthcoming tours will be publicised by Viridor via their website, social media channels and a press release. Boroughs will be encouraged to share this information via their usual communication channels.

Tours of the facility will typically last 2 hours. Visitors will be welcomed into the Education Centre and will receive a safety induction along with an overview presentation of the ERF and the wider issues around waste management. All visitors will be issued with Personal Protective Equipment (PPE).

Tours of the facility will follow a pre-defined tour route and will include viewing of the main stages of the waste treatment process. Around the facility will be a series of interpretation boards to help reinforce messaging and information throughout the visit.

The tours will be delivered by the Education and Community Benefits Officer.

Additional visits and tours of the site for other key stakeholders such as local councilors, Members of Parliament, GLA representatives and industry bodies will be encouraged. In addition to the Education and Community Benefits Officer, these visits will be supported by Viridor's corporate communication team.

6.6 Virtual Visitor Centre

The Virtual Visitor Centre (VVC) will be a high quality website where the processes that take place at the Beddington ERF will be explained in an engaging and informative way. The VVC will be the first point of contact for members of the community interested in the facility and the Beddington site.

The website will feature professionally-produced videos of all the key stages of the waste treatment process, alongside supporting text and diagrams. Initially this video footage will be from other, similar, Viridor facilities. These will be replaced with footage from the Beddington ERF as soon as is practicably possible.

The VVC will include a prominent link to an external Viridor web page where emissions monitoring data will be published on a regular basis. This data will be presented alongside supporting text that allows members of the public without technical knowledge to understand what they are viewing.

The Viridor, SLWP and borough websites will all feature prominent links to the VVC. The SLWP is liaising with Viridor on the production of the VVC. The content of the VVC will reviewed on a regular basis and updated as and when necessary.

6.7 Schools engagement

The Beddington ERF Education Centre will provide an excellent opportunity for local schools and other youth groups to visit the site and learn more about waste management, energy production and wildlife.

Viridor has an active schools engagement programme across the UK. Locally, the Beddington ERF Education and Community Benefits Officer will work to engage with local schools to promote energy recovery, energy consumption and carbon emissions awareness. Visits to the site by secondary schools will be actively encouraged. Support from relevant officers in the education teams of the four SLWP boroughs will help form and develop fruitful relationships between Viridor and local schools.

6.8 Community Liaison Group and Community Newsletter

The Community Liaison Group has been meeting on a quarterly basis through the construction and commissioning phases of the ERF. Once operational, there is a contractual requirement for Viridor to continue to hold Community Liaison Group meetings on an annual basis. Viridor have indicated that initially, their intention is to continue to hold these meetings on a quarterly basis.

Viridor have published four Community Newsletters during the construction phase (July 2015, March 2016, February 2017 and November 2017). Viridor have agreed to publish a final construction newsletter once the ERF is operational. This will be distributed in the months after the facility is operational and will focus on explaining the ERF process, what members of the community may see around the site and information on the community benefits package. The cost associated with any future newsletters will need to be met by the SLWP.

7. IMPACTS AND IMPLICATIONS

Legal

7.1 None

Finance

7.2 The South London Waste Partnership's Communications Advisor post is funded through the core activities budget.

7.3 A £25,000 Communications Budget is available to support communications and engagement activities.

8. RECOMMENDATIONS

8.1 The Committee is asked to note the contents of this report and comment on any aspects of communications and engagement activities relating to the Phase A and Phase B contracts