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Report to: **Executive**

Date: **10 March 2016**

Title: **The Future of the Devon Authorities Waste Reduction and Recycling Committee (DAWRRC)**

Portfolio Area: **Cllr R Gilbert**

Wards Affected: **All**

Relevant Scrutiny Committee:

Urgent Decision: Approval and clearance obtained: **Y / N**

Date next steps can be taken: Council 19 May 2016

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Recommendations:

It is recommended that the Committee recommends to Council:

1. Support for the proposal to wind up the Devon Authorities Waste Reduction and Recycling Committee
2. To agree to the establishment of the joint Devon Authorities Strategic Waste Committee on the draft terms of reference set out in the Operating Rules attached at Appendix 1. and that any significant changes to the terms of reference be brought back to Council for further approval
3. To agree that the Portfolio Holder for Waste be appointed as the South Hams member of the Devon Authorities Strategic Waste Committee, and that a named substitute, with full voting rights, will attend in the absence of the Portfolio Holder
4. That any changes considered necessary to the terms as highlighted are delegated to the Lead Specialist Waste Strategy (Strategy & Commissioning) in consultation with the Portfolio Holder for Waste

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1. Executive summary

1.1 This Report outlines proposals to wind up the Devon Authorities Waste Reduction and Recycling Committee and replace it with a new joint Devon Authorities Strategic Waste Committee.

1.2 The Devon Authorities have worked together since the setting up of a working party in 1990 to coordinate waste recycling. A Joint Recycling Committee was subsequently replaced by the existing Devon Authorities Waste Reduction and Recycling Committee (DAWRRC) in November 1999.

1.2 DAWRRC is made up of members from all the Devon District Councils, the County Council and Torbay Council. The Committee has worked on a number of on-going initiatives including the Waste Management Strategy for Devon and subsequent publications, the 'Don't let Devon go to waste' campaign, the Schools Waste Education Strategy, and successful bids for over £10million from Defra, BIS, DCLG and WRAP.

1.3 Joint working has helped to increase Devon's recycling rate and in 2010/11, Devon was the top recycling county in the country.

1.4 Recently the Executive Waste Board for Devon has attempted to further progress partnership working and realise efficiencies by working in a more unified way. However, whilst it was not possible to form a formal partnership, the desire to work closer together on more strategic waste issues remains, particularly with the need to deliver further identified savings whilst maintaining or improving performance.

1.5 At the DAWRRC meeting on 20th October 2015, it was resolved that the proposals to develop a new strategic waste management joint committee to replace DAWRRC be supported to release the savings identified and improve recycling rate.

1.6 A report was taken to Devon County Council's Procedures Committee on 9th February 2016 which resolved that the County Council be recommended to approve the winding-up of the Devon Authorities Waste Reduction and Recycling Committee and the establishment of a new Devon Authorities Strategic Waste (Joint) Committee. It acknowledged that the new Committee should only pursue partnerships in ways that do not undermine best practice by individual councils.

1.7 The new Committee will be a formal joint Committee set up under s101 of the Local Government Act 1972 and will have a South Hams member appointed (together with a named substitute) to represent the Council. Each Council represented on the proposed Devon Authorities Strategic Waste Committee will appoint one member per authority who will have full voting rights on the Committee.

1.8 The proposed draft terms of reference for the new Devon Authorities Strategic Waste Committee are attached at Appendix 1 and will be reviewed and agreed by the new joint committee. Any substantial changes to the proposed arrangements will be brought back before Members for approval.

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1.9 It is proposed that the County Council will be the Administering Authority for the Committee in terms of governance (including administration, legal and financial implications and advice).

1.10 The proposal is supported by the Devon Local Government Steering Group.

2. Background

2.1 The Devon Authorities have worked together since the setting up of a working party in 1990 to coordinate waste recycling. A Joint Recycling Committee which was first established in 1992, was subsequently replaced by the existing Devon Authorities Waste Reduction and Recycling Committee in November 1999.

2.2 The Committee is made up of members from all the Devon District Councils, the County Council and Torbay Council, and has worked on:

- The Waste Management Strategy for Devon, first published in 2005.
- The Waste and Resource Management Strategy for Devon Review, published in 2013 & Action Plan.
- The 'Don't let Devon go to waste' campaign which has raised awareness and encouraged residents and visitors of Devon to reduce, reuse and recycle their waste via a mix of media including TV, radio, website, social media, roadshows, door stepping, bus advertising, adshells, bill boards, posters and leaflets.
- The Schools Waste Education Strategy, first published in 2003, and the implementation of a range of initiatives in schools including workshops, theatre groups, waste audits and action plans, recycling schemes, composting schemes, visits to sites, website resources and a yearly waste summit.
- Joint contracts for the sale of paper, glass, textiles and bulk haulage enabling consistent and high material buy in rates.
- Successful bids for over £10million from Defra, BIS, DCLG and WRAP.
- Support for the Community Sector in the form of Funding of the Devon Community Recycling Network Coordinator and the Devon Community Composting Network Coordinator and their assistants.
- Funding through Re-use credits of the Devon Furniture Forum groups.

2.3 Joint working has helped move Devon's recycling rate from 2% to 55% and in 2010/11 Devon was the top recycling county in the country.

2.4 Over the last two years attempts have been made through the Executive Waste Board for Devon to further progress partnership working and realise efficiencies by working in a more unified way. The group, assisted by some consultancy funded business analysis, explored the possibilities of working through a Joint Waste Partnership or delivering a more unified service through other methods such as procurement, cluster working, and aligned collections.

2.5 However, whilst it was not possible to form a formal partnership, the desire to work closer together on more strategic waste issues remains, particularly with the need to deliver further savings whilst maintaining or improving performance. The consultant employed to help develop the working model was clear that at least 50%

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of the potential savings to be gained from working as a formal Joint Waste Partnership could be achieved without a formal partnership being in place.

2.6 At the DAWRRC meeting on 20th October 2015, it was resolved that a new strategic waste management joint committee would be developed to replace the DAWRRC and that the new committee be called the Devon Authorities Strategic Waste Committee.

2.7 A report was taken to Devon County Council's Procedures Committee on 9th February 2016 which resolved:

(i) that the County Council be recommended to approve the winding-up of the Devon Authorities Waste Reduction and Recycling Committee with immediate effect and the establishment at the Council's Annual Meeting in 2016 of a new Devon Authorities Strategic Waste (Joint) Committee with the proposed membership, operating rules and terms of reference, acknowledging the assurance given by the Cabinet Member that the suggestion that the new Committee should only pursue partnerships in ways that do not undermine best practice by individual councils would be taken into account in its work;

(ii) that notwithstanding the proposed Joint Committee will operate under the County Council's Procedure Rules (Standing Orders), including the Scrutiny Procedure Rules, the Head of Highways, Capital Development and Waste be asked, in consultation with the Senior Waste Officer Group, to clarify and codify the role of all constituent authorities in scrutinising the work of this Committee.

3. Options available and consideration of risk

3.1 Whilst DAWRRC has played a significant role in developing and promoting waste minimisation and recycling initiatives, it is recognised that its remit has been somewhat limited with regard to wider strategic work issues. It is therefore considered that it would be timely now to revisit the purpose and role of the current Committee to ensure that more strategic waste management committee is provided; it is correspondingly suggested that the current Committee be wound-up and replaced by a new body with new working practices/operating principles and terms of reference to reflect those wider, more strategic, aims and objectives.

3.2 Such that items which could be taken to a new Committee could include:

- Joint procurement e.g. of vehicles, bins and in-cab technology.
- Joint materials contracts – on new materials e.g. card and mixed plastics.
- Proposed waste service changes.
- Behavioural change strategy for Devon.
- Mechanism for sharing savings between County and District Councils.
- Organic waste strategy for Devon.
- Collection and disposal of Healthcare waste.

The scope of the new Committee will be discussed at the Devon Environmental Managers' Group and clarified at the first Committee meeting.

3.3 The proposed name of the new committee is the Devon Authorities Strategic Waste Committee and it would take ownership and be responsible for developing and implementing the Resource and Waste Management Strategy for Devon Action Plan.

3.4 The alternative would be for South Hams to withdraw from membership. However, this would make South Hams more isolated in terms of access to savings

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brought about by economies of scale through joint ventures with the other Devon Authorities. Without a single waste committee with delegated powers to deliver a joined up strategic approach to waste collection and disposal across the geographical area of Devon, opportunities may be lost though less effective services and there is the potential for duplication of effort and expenditure, obviating economies of scale.

4. Proposed Way Forward

4.1 It is proposed that the Devon Authorities Strategic Waste Committee be developed which would enable a more strategic approach to be taken with regard to both waste collection, treatment and disposal operations, as well as strengthening demand management and waste prevention measures. This should lead to efficiencies in service delivery and overall savings to the public purse.

4.2 This fits with the following corporate priorities:
Excellent Customer Services
Environment

5. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	It is proposed to set up a formal joint Committee under the Local Government Act 1972 which can only be approved by Council. Draft operating rules and terms of reference are attached in Appendix 1 and these will be finalised by the new Committee (with any substantial amendments being brought back to this Council). It is proposed that each Partner Authority will elect their Cabinet / Executive/ Committee Member with a waste portfolio/remit to sit on the Committee with one vote per authority.
Financial	Y	The current DAWRRC budget stands at £188,644. This is made up of top slice of the recycling credits paid by the County Council to the District Councils, and includes additional contributions from Devon County Council and Torbay Council. This budget could be reviewed as part of the remit of any new Joint Committee. South Ham's current commitment is around £10,000.
Risk		Not all Devon District Councils may elect to join.
Comprehensive Impact Assessment Implications		
Equality and Diversity		None
Safeguarding		None
Community Safety, Crime and Disorder		None
Health, Safety and Wellbeing		None
Other implications		None

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Supporting Information

Appendices: Operating Rules and Terms of Reference for the Devon Authorities Strategic Waste Committee

Background Papers: None

Process checklist	Completed
Portfolio Holder briefed	Yes
SLT Rep briefed	Yes
Relevant Exec Director sign off (draft)	
Data protection issues considered	Yes
If exempt information, public (part 1) report also drafted. (Cabinet/Scrutiny)	Yes