

## **Overview and Scrutiny Committee Meeting 4 November 2021: Draft Minute Extract:**

### **O&S.30/21 URGENT BUSINESS – CALL-IN OF EXECUTIVE MINUTE E.56/21: GARDEN WASTE SERVICE**

The Chairman introduced the agenda item and advised that, in accordance with Overview and Scrutiny Procedure Rule 12.5, the resolution arising from Minute E.56/21: 'Garden Waste Service' had been formally called-in for further consideration by the Committee. The process of call-in was then outlined.

Following a question from a Member, it was clarified that the decision was a key decision because the issue, i.e. garden waste service, related to the whole District.

The Chairman advised that there would be three options available to the Committee when considering the call-in. These were that the Committee:

1. was content with the original Executive resolution and that decision would therefore take immediate effect;
2. could refer the decision back to the next Executive meeting (on 2 December 2021) for further consideration; and
3. could opt to refer the decision to the next full Council meeting (on 25 November 2021).

The Chairman then explained his reasoning behind the decision to invoke a call-in. In so doing, the Chairman made specific reference to:-

1. Failure to adequately consult with Members prior to the Executive meeting of 14 October 2021 at which the decision was taken;
2. Late delivery of the report in support of the recommendation. The report was only made available to Members on the morning of the meeting and, as such, many Members were not made aware of the serious nature of the recommendation until the last minute, if at all, prior to the decision being made; and
3. Lack of openness in respect of the content of the report and the reaching of the decision. For example, it was not made clear as to whether or not FCC (the Council's Waste Contractor) had requested a continued suspension.

Following questions put to the lead Executive Member with responsibility for Waste, it was clarified that:

- The report had been published late because Officers and the Executive Member had been working on the report right to the last minute in a desperate attempt to get a one off garden waste collection carried out before the decision had to be taken to suspend the service until Spring.

- The lead Executive Member confirmed that it had been his decision to recommend to his Executive colleagues that the suspension be extended so that residents were given some certainty and not waiting month to month to be told about the service.
- Other neighbouring Local Authorities had been approached to see if there was an opportunity for a one-off collection with their service, but all were suffering from the national HGV driver shortage and no one had any spare capacity within their own service.
- It was confirmed that the Council's contractor, FCC Environment (FCC), were unable to give any idea when they would be able to restart the service.
- Members were asked to give any alternative suggestions to the Executive Member or Officers who would explore any potential avenue.
- One Member stated that a resident in her local Ward had turned this into a business opportunity and was offering to empty a bin at £14.00 per bin, whilst another Member remarked that he too had made a number of calls to providers but had been unable to find any provider who could carry out a collection service for his Ward.
- The Executive Member stated that there were 46,000 bins to be collected over the whole District. It was his responsibility to ensure that the same service was provided to all households in the South Hams, no matter the ease or difficulty in reaching their bins.
- The recent letter that had been sent to all residents had been to keep every resident informed, not just those who used social media.
- Whilst recognising the value of local composting schemes, it was acknowledged as not being a replacement to the garden waste collection scheme.
- When questioned on funding for any alternative collections, the Executive Member confirmed that there would be a report presented to a future Executive meeting to address this matter.
- It was noted that the original decision to suspend the garden waste service (taken in August 2021) had had to be made quickly, hence limited consultation with Members. The Member acknowledged that the now disbanded Waste and Recycling Working Group had been useful, and he would be supportive should there be the political appetite to establish another working group.

Upon the conclusion of the questions to the lead Executive Member, the Chairman then **PROPOSED** a recommendation, which was **SECONDED**, and, when put to the vote, was declared **CARRIED**.

It was then:

## **RESOLVED**

That the Council Constitution provides for O&S to express its concerns and to call for reconsideration of the decision of the Executive taken at its meeting held on 14 October 2021 in respect of the suspension of the garden waste collection. The O&S has concerns and it calls for reconsideration. These concerns and a call for reconsideration be submitted to the Full Council meeting to be held on 25 November 2021. Full Council will then be able to make its views known to the Executive.

These were the concerns to be submitted.

1. There was insufficient consideration and/or reporting given to the implementation of Option 3 being the use of an alternative provider and in particular the possibility of the garden waste collection being taken back in-house;
2. The supporting report incorrectly states that there are no financial implications arising. The suspension of the garden waste collection service from mid-August 2021 until Spring 2022 will in all probability have financial implications;
3. There was insufficient consideration and/or reporting given to the provisions of the contract with FCC;
4. The decision to suspend the garden waste collection until an open-ended Spring date leaves many residents with their brown bins containing waste for an indefinite period; and
5. Council tax levied by the Council includes a sum for the collection of garden waste and yet taxpayers are not receiving a service for which they have paid for.