

JOINT WASTE DISPOSAL BOARD

NOTICE OF MEETING

TUESDAY 7 JULY 2015

TO: ALL MEMBERS OF THE JOINT WASTE DISPOSAL BOARD

You are invited to attend a meeting of the Joint Waste Disposal Board on **Tuesday 7 July 2015 at 9.00 am** in the Longshot Lane Household Waste recycling centre, Longshot Lane, Bracknell. An agenda for the meeting is set out overleaf.

Mark Moon
Project Director

Members of the Joint Waste Disposal Board

Councillor Mrs Dorothy Hayes MBE, Bracknell Forest Council
Councillor Iain McCracken, Bracknell Forest Council
Councillor Paul Gittings, Reading Borough Council
Councillor Liz Terry, Reading Borough Council
Councillor Anthony Pollock, Wokingham Borough Council
Councillor Angus Ross, Wokingham Borough Council

EMERGENCY EVACUATION INSTRUCTIONS

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- 2 Follow the green signs**
- 3 Use the stairs not the lifts**
- 4 Do not re-enter the building until told to do so**



If you require further information, please contact: Katharine Simpson
Telephone 01344 352308
E-mail: katharine.simpson@bracknell-forest.gov.uk



11. EXCLUSION OF PUBLIC AND PRESS

To consider the following motion:

That pursuant to Regulation 4 of the Local Authorities (Executive Arrangements) (Access to Information) Regulations 2012 and having regard to the public interest, members of the public and press be excluded from the meeting for the consideration of items 12 and 13 which involves the likely disclosure of exempt information under the following category of Schedule 12A of the Local Government Act 1972:

- (3) Information relating to the financial or business affairs of any particular person.

12. FINANCE REPORT

13 - 18

To receive a report providing an update in terms of the financial management of the Joint Waste PFI contract since the last meeting.

13. CONTRACT UPDATE

19 - 28

To receive an update on the progress.

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Unrestricted

**JOINT WASTE DISPOSAL BOARD
26 MARCH 2015
(10.00 - 11.30 am)**

Present: Bracknell Forest Borough Council
Councillor Mrs Dorothy Hayes MBE
Councillor Iain McCracken

Reading Borough Council
Councillor Paul Gittings
Councillor Liz Terry

Wokingham District Council
Councillor Angus Ross

Officers Josie Wragg, Wokingham Borough Council
Oliver Burt, re3 Project Manager
Steve Loudoun, Bracknell Forest Council
Mark Moon, re3 Project Director
Mark Smith, Reading Borough Council

Apologies for absence were received from:

Councillor Pollock, Wokingham Borough Council

21. Declarations of Interest

There were no declarations of interest.

22. Minutes of the Meeting of the Joint Waste Disposal Board

RESOLVED that the minutes of the Joint waste Disposal Board Management Committee be approved as a correct record and signed by the Chairman.

Matters Arising

Minute 15: It was reported that during the period January to February 2015 Wokingham Borough Council had received 82 notifications of fly-tipping. This compared to 105 reports during the same period in 2014 and it was considered that the removal of the Amenity Waste Collection Service was currently having a minimal impact on the Borough. The situation would be monitored however. Anecdotally the majority of residents were understanding of the reasons behind the service's removal and were supportive of the Council's decision.

Minute 18: Reading Borough Council had published its Waste Minimisation Strategy. It was suggested that that a means of capturing the consultation responses of the other re3 councils (Bracknell Forest and Wokingham) would be considered. Furthermore that the outcomes of the consultation would be used to inform the work of the other re3 Councils when considering waste minimisation.

23. Urgent Items of Business

There were no urgent items of business.

24. **Progress Update Report**

The Board received a report providing an update on the progress made in terms of the management of the joint waste PFI contract since its last meeting. The report included an update on the user satisfaction surveys, a summary of planned audit work and an overview of the current financial position.

As the administering authority, Reading Borough Council's Audit Team would be conducting an audit of the processes followed by the Contractor in arranging for the processing of materials for which a long term processing contract was either not available or not desirable. The audit would start at the end of April and it was expected that a report setting out the audit findings would be available for consideration by the Board at its Annual General Meeting.

It was stressed that the volume of green waste collected had increased and although tonnage collected for recycling had remained relatively stable actual recycling rates had increased for each council. It was noted that future communications work in this area would be undertaken by the re3 Marketing and Communications Officer when they were in post.

The Board noted the report.

25. **Exclusion of Public and Press**

RESOLVED that pursuant to regulation 21 of the Local Authorities (Executive arrangements)(Access to Information) Regulations 2000 and having regard to the public interest, members of the public and press be excluded from the meeting for the consideration of items 8 and 9 which involve the likely disclosure of exempt information under the following category of Schedule 12A of the local Government Act 1972:

(3) Information relating to the financial or business affairs of any particular person.

26. **Contract Update Report**

The Board considered a report providing an update in relation to the progress made in terms of the Excess Waste Profit Adjudication since its last meeting.

It was reported that the adjudication would take place between 3rd and 5th June 2015 and it was expected that a determination should be issued on or around the 12th June 2015.

The Board noted the report.

27. **Service Continuity Report**

The Board received a report providing an update on work taking place to develop a service continuity plan in relation to the re3 Joint Waste PFI Contract.

The report provided an overview of the current service continuity arrangements and a number of additional factors that should be considered to ensure that service continuity arrangements were fully robust.

The Board noted the report.

CHAIRMAN

TO: **JOINT WASTE DISPOSAL BOARD**
7 JULY 2015

REVIEW OF GOVERNANCE ARRANGEMENTS **Senior Managers – re3 Councils**

1 INTRODUCTION

- 1.1 The Board at its meeting of 22 January agreed to create a full time re3 Strategic Waste Manager position. The role of Project Director was to be subsumed into this new position. The Board also agreed that the roles and responsibilities of the other operational posts also be reviewed to take account of the change.
- 1.2 As the Board will know an offer of appointment has been made to Oliver Burt, the current re3 Project Manager. He has accepted and will commence his new role on 1 August 2015. This report appraises members of the current situation and plans for the future.

2 RECOMMENDATION

- 2.1 **That the Board notes the contents of this report and authorises the three senior managers to provide another report with regard to the options with regard to the Contracts Manager role.**

3 ALTERNATIVE OPTIONS CONSIDERED

- 3.1 None; the proposals reflect the officers' view of the best way to address both the current and future needs of the partnership and the individual councils.

4 REASONS FOR RECOMMENDATION

- 4.1 To appraise the Board of the outcome of the interviews undertaken in line with the Board decision of January 22nd 2015 and the proposals arising therein.

5 BACKGROUND INFORMATION

- 6.1 The decision of the Board to increase the capacity within the re3 office was prompted by a need identified within all three Partnership Councils to move away from the idea that this is still a 'project'. The Board recognised the need for more capacity so as to enable it to provide the strategic vision and support to the Councils in respect of waste disposal. The arrangements that were put in place at the commencement of this joint initiative had changed. The arrangements put in place then to cover the 'Project Director' role were no longer suited to needs.
- 5.1 Having concluded a competitive interview process, with some high calibre candidates, the existing Project Manager has been offered the opportunity to take on the new role. This will not commence until the conclusion of the current adjudication process. The arrangements for this appointment are that he will commence on 1 August 2015. The three senior managers will work collaboratively to develop a 12 month development plan for the postholder, with 3 monthly milestones and targets in place. The postholder will undergo an appraisal process with the three senior managers on appointment, with challenging targets being set for the first twelve months in post

- 5.2 The appointment creates a vacancy and the intention is now to review the structure going forwards; the senior managers anticipate bringing a further report to the Board during the Autumn cycle of meetings. Until such time the Contract Manager's role will be backfilled by using acting up or secondment options in line with Reading Borough Council's employment criteria.

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

- 6.1 The Board was established under the Constitution Agreement which forms part of the PFI Contract "to administer the operation of the waste disposal arrangements of the Councils in accordance with the Joint Working Agreement and the Principal Contract". Nothing proposed should compromise the contractual obligations.

Borough Treasurer

- 6.2 The proposal is to fund any additional costs from savings from within the existing budget.

Equalities Impact Assessment

- 6.3 None.

Strategic Risk Management Issues

- 6.4 The proposals seek to strengthen the management arrangements for this significant contract, to provide for more strategic guidance to the Board and increase the overall professional capacity in respect of waste disposal in the three Partner Councils.

7 CONSULTATION

Principal Groups Consulted

- 7.1 Not applicable.

Method of Consultation

- 7.2 Not applicable.

Representations Received

- 7.3 Not applicable.

Background Papers

Board Report dated 22nd January 2015.

Contacts for further information

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**TO: JOINT WASTE DISPOSAL BOARD
7 JULY 2015**

LEGISLATIVE CHANGES re3 Project Director

1 INTRODUCTION

- 1.1 There are a number of legislative changes that have or are being proposed that have implications for the waste disposal sector. This information report appraises the Board of some of those that are or will have an implication to re3.

2 SUPPORTING INFORMATION

Landfill Tax update

- 2.1 In recent years, landfill tax has been increasing at a rate of £8 per tonne reaching £80 per tonne in 2014. There is widespread consensus that Landfill Tax has achieved what it set out to do – encourage local authorities and businesses to manage waste in a more sustainable way.
- 2.2 From 01 April 2015 the standard rate of landfill tax for active waste rose with inflation from £80 to £82.60 per tonne. We estimate this will increase by approximately 2% to circa £84.40 per tonne for disposals made in England, Wales and Northern Ireland on or after 1 April 2016.
- 2.3 The lower rate of tax applying to “inactive” wastes (such as rubble from building sites) increased from £2.50 per tonne to £2.60 per tonne in England, Wales and Northern Ireland from 1 April 2015, and will increase again to £2.65 per tonne for disposals made on or after 1 April 2016.

Implications for re3 Partnership

- 2.4 The implication of this change has been built into the budgets for the current year. Based on predicted tonnage for the next financial year, the landfill tax increase represents an additional cost to the partnership of £100k. The Board will be aware that the cost of sending a tonne of waste to landfill significantly exceeds the cost of sending a tonne for recycling. In 2015/16 the cost per tonne of landfill is £123 per tonne, compared to a cost of c£33 per tonne for recycling (an increase of 273%). The partnership can, through its collection strategies, seek to influence the tonnages recycled and thereby save landfill costs and potentially gain income from sales.

Carrier bag charges

- 2.5 The Department for Environment Food and Rural Affairs, (Defra) has issued guidance on the Government’s decision to charge 5p on single-use plastic carrier bags from 5 October 2015. Retailers employing less than 250 full-time equivalent employees (in both retail and non-retail roles) will be exempt from levying the charge.
- 2.6 Bags that do not fall under the scope of the charge include those handed out for uncooked fish or meat products, for unwrapped food or flowers, for prescription medicine, woven plastic bags, reusable bags, or where there is no sale of goods such as in dry cleaning or shoe repairs.

- 2.7 Meanwhile, the European Parliament has voted in favour of legislation requiring EU countries to reduce their use of lightweight plastic bags. The law, passed on 28 April 2015, requires EU member states either to reduce annual consumption to 90 lightweight bags per citizen per year by the end of 2019, with an interim target of 40 by the end of 2015, or to ensure that no cost-free lightweight plastic bags are given to shoppers by the end of 2018. The legislation defines lightweight as bags thinner than 0.05mm.

Implications for re3 Partnership

- 2.8 Plastic bags are not specifically segregated from the waste stream. It would not be cost effective to do so. The significance of this change is most likely to be seen in the recycling as it is hoped that with less plastic bags in circulation the temptation for residents to bag their recyclables will be reduced. As the Board will recall the Contract deems carrier bags to be contamination and the MRF has problems when recycle materials are presented in small plastic knotted carrier bags. This adds to processing cost and/or contamination costs.

2015 WEEE Targets announced

- 2.9 The Department for Business, Innovation & Skills has announced that the overall waste electrical and electronic equipment (WEEE) industry collection target for 2015 is 506,878 tonnes. This is approximately 16,000 tonnes more than the total amount of household WEEE collected and recorded in 2014. The new target is above the requirements to achieve the EU member state target of 484,661 tonnes and follows the announcement in February 2015 that internal UK targets for 2014 were exceeded by more than 1,000 tonnes.
- 2.10 Collection data for the first quarter of 2015 published by the Environment Agency shows that industry in the UK has made strong progress towards meeting its WEEE recycling target for the year. This progress has been aided by a change in guidance on the classification of business and household electrical goods, which is likely to mean that more WEEE from business sources can be counted towards household collection figures.
- 2.11 Definitions of household and non-household WEEE were amended after the UK's classification of household and business WEEE were found to be at odds with that held by the European Commission. The difference centred on the interpretation of 'dual use' WEEE, which includes items such as PCs or television screens, which could conceivably be used in business or by consumers. In the UK the definition was also qualified by the quantity of WEEE being presented for collection.
- 2.12 The new definition is in line with that held by the European Commission and states that any WEEE of a similar nature to that presented to householders, regardless of how much is presented, should be classed as household WEEE.

Implications for re3 Partnership

- 2.13 The Partnership collects WEEE through the HWRC and in some instances through other ad hoc arrangements. The potential is there through the Contract for the Councils to benefit from any sales of this recyclable material. We need to better understand how we may take advantage of the changes and how we might be able to do more to encourage the extraction of more WEEE from the general waste stream.

Contacts for further information

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**TO: JOINT WASTE DISPOSAL BOARD
7 JULY 2015**

**IMPROVING WASTE AND RESOURCE MANAGEMENT IN ENGLAND
re3 Project Director**

1 INTRODUCTION

- 1.1 The Board has an interest in the options available for recycle materials. One of the concerns discussed in the past by the Board is the general lack of sustainable local markets for materials recovered from the waste stream.
- 1.2 These concerns are shared nationally and the newly appointed Resource Minister has been contacted with a view to trying to encourage change in some key areas of direct interest to this Board.

2. SUPPORTING INFORMATION

- 2.1 Several of the UK's representative bodies for the waste and resource management sector and local authorities have sent the Minister a letter requesting a meeting to discuss the future direction of resource policy.
- 2.2 The letter highlights key areas that the signatories think Defra should focus on to improve resource management in England, and help boost England's waste and recycling performance. The letter has been sent by the Anaerobic Digestion and Bioresources Association (ADBA), Environmental Services Association (ESA), Chartered Institution of Wastes Management (CIWM), Renewable Energy Association (REA), Institution of Civil Engineers (ICE), Waste Network Coordinators (WNC) and the Resource Association.
- 2.3 The areas of concern cited in the letter include:
- Recycling. The organisations highlight the levelling off of recycling performance, the current weak market conditions for recycled materials and the need to increase efforts to prevent and recover food waste.
 - Investment. The letter calls for leadership from government to encourage investment in new waste treatment, recycling and reprocessing facilities, asking for a policy framework along the lines of those that have been instituted in Scotland and Wales.
 - Waste crime. Citing the economic and environmental impacts of waste crime, the groups say 'cracking down on waste crime' should remain a priority for the government, and that sufficient resources need to be allocated to the Environment Agency and local authorities to tackle the issue.
- 2.4 The seven signatures to the letter are seeking an early meeting to discuss the future direction of waste related policy. They take the view that waste is a valuable source of materials, energy and nutrients. The industry has grown strongly over recent years despite the adverse economic climate and has the potential to make a further important contribution to growth and job creation. However, there are concerns that progress in improving resource management in England has stalled and they would like to offer to work with government and officials at Defra to help turn this situation around.

2.5 Should this offer come to anything we will update the Board.

3 EQUALITIES IMPACT ASSESSMENT

3.1 Not applicable.

4 STRATEGIC RISK MANAGEMENT ISSUES

4.1 The more that helps increase the options available to us as a supplier of waste resources, the better. If the market is healthy the re3 Councils will not only secure a greater fiscal return but are more likely to achieve the 50% national recycling target.

Background Papers

Letter dated 4 June 2015 from the Anaerobic Digestion and Bioresources Association (ADBA), Environmental Services Association (ESA), Chartered Institution of Wastes Management (CIWM), Renewable Energy Association (REA), Institution of Civil Engineers (ICE), Waste Network Coordinators (WNC) and the Resource Association.

Contact for further information

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