

Introduction to the Devon Authorities Strategic Waste Committee

Report of the Head of Highways, Capital Development and Waste

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.

Recommendation: that the members note the work of the committee and its membership, its operating rules and terms of reference.

1. Summary

This report outlines the work of the Devon Authorities Strategic Waste Committee and its history, along with its membership, its operating rules and terms of reference.

2. Background/Introduction

Devon Authorities have worked together for 29 years following the setting up of a working party in 1990 to coordinate and improve waste recycling. A Joint Recycling Committee was first established in 1992.

Initially the need to work together began as an enlightened approach to increasing recycling in Devon from 2% in 1990 when it was carried out solely by the community sector. Key drivers were the Government Statutory Recycling Targets and the implications of the EU Landfill Directive as well as the Landfill Tax escalator.

The Devon Authorities Waste Reduction and Recycling Committee, as it was known, was made up of Members from all Devon District Councils, the County Council and Torbay Council. Plymouth City Council withdrew from the Committee in 2014 due to its own budget pressures.

Devon Authorities have, over the years, worked together on a number of initiatives to deliver waste reduction, re-use, recycling and composting initiatives across Devon, Torbay and Plymouth. Most notably these include;

- the development and publication of the Waste and Resource Management Strategy for Devon,
- the award winning '*Don't let Devon go to Waste*' behavioural change campaign,
- the development and publication of the Schools Waste Education Strategy,
- letting of joint material contracts,
- successful bids of more than £10 million from Defra, the former BIS and the former DCLG and the Waste & Resource Action Programme (WRAP).
- Support to the community sector through the Devon Community Recycling Network Coordinator and Community Composting Coordinator, and the allocation of Reuse Credits have also played a part.

Joint working has helped move Devon's recycling rate from 2% to 54% and in 2010/11 Devon was the top recycling county in the country. The amount of residual waste disposed of has reduced from 292,295 tonnes in 2000/01 to 163,587 tonnes in 2017/18 (down 56%).

Similarly, Torbay has seen a rise to 42.6% recycling with a reduction in residual waste from 49,570 tonnes in 2003/4 to 34,340 in 2017/18.

From 2014 attempts were made, with some consultancy support, to develop a single waste service for Devon and whilst it has not proved 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.

It was considered in 2015 that a new more strategic waste management committee would be appropriate and the Devon Authorities Waste Reduction and Recycling Committee (DAWRRC) at its meeting on 20 October 2015 (Minute 60) resolved:

“(a) that the proposals to develop a new strategic waste management joint committee to replace DAWRRC and to name the new committee the Devon Authorities Strategic Waste Committee be supported;

(b) that all partner authorities be recommended to approve the establishment of a Devon Authorities Strategic Waste Committee and its Constitution, Terms of Reference and Working Arrangements, and to join the new Committee.”

The Terms of reference and working arrangements are included at Appendix 1.

3. Current Position

The key progress made under this new committee has been the adoption of the “aligned” waste collection scheme. This is a weekly collection of food waste, a weekly collection of a full range of recycling materials, a fortnightly residual waste collection and charged for garden waste collection.

The diagram below shows the progress to date.

From October this year West Devon will be collecting mixed plastics, and from September 2020 South Hams will be collecting separate weekly food, mixed plastics and kerbside glass. The move to this aligned option has been supported by the County Council who set up a shared savings scheme whereby the treatment/disposal cost savings made by the county when a district makes a significant change to its collection regime are shared on a 50:50 basis, for example moving away from a mixed food and garden waste collection to separate food and charged for garden waste. Over £700,000 was shared with District Councils in 2017/18.

Progress toward the 'Aligned Option'					Version: August 2018
					
	Food Waste (Weekly)	Garden Waste (£/fortnightly)	Dry Recycling (Weekly)	Residue (fortnightly)	
	✓	✓	✓	✓ (3)	
East Devon	✓	✓	✓	✓ (3)	
Exeter	(X)	✓	(f)	✓	
Mid Devon	✓	✓	(f)	✓	
North Devon	✓	✓	✓	✓	
South Hams	(m/f)	(m/f)	(f)	✓	
Teignbridge	✓	✓	✓	✓	
Torridge	✓	✓	✓	✓	
West Devon	✓	✓	✓	✓	
Torbay	✓	(£/O)	✓	✓	

YELLOW = aligned option / £ = charged service / m = mixed collection / f = fortnightly / 3 = 3wkly / X = N/A / O = Other

Other major projects that the councils are working together on in part or in full include:

- joint procurement e.g. of vehicles, bins and in-cab technology
- joint materials contracts
- proposed waste service changes
- Waste Prevention and Reuse Strategy for Devon County Council
- Clean Devon – Litter and Fly Tipping Partnership Proposal
- Waste and recycling advisors' (WRA) contract

Now that the Government has published its Resource and Waste Strategy for England and accompanying consultations the main objective of the committee for the coming year will be to develop a new Resource and Waste Management Strategy for Devon. The previous strategy was reviewed in 2013. Given the new direction of waste management towards a circular economy and extended producer responsibility. It is considered appropriate to develop a new strategy rather than review the existing Strategy.

4. Consultations/Representations/Technical Data

There are none.

5. Financial Considerations

The current DASWC budget for 2019/20 stands at £182,800. This is made up of a topslice of the recycling credits paid by the County Council to the District Councils, and includes additional contributions from Devon County Council and Torbay Council. The budget is currently allocated to Reuse Credits, the communications work under the banner of the Don't let Devon go to waste campaign, the WRA contract and the Clean Devon Project.

6. Environmental Impact Considerations

Working closer together on strategic waste issue will lead to more sustainable waste management practices in the future.

7. Equality Considerations

There are no impacts from equality considerations.

8. Legal Considerations

The lawful implications/consequences of the proposals/recommendations/proposed course of action have been considered and taken into account in the preparation of this report/formulation of the recommendations set out above.

9. Risk Management Considerations

There are no significant risks associated with the Devon Authorities Strategic Waste Committee.

10. Public Health Impact

There are no implications for public health.

11. Options/Alternatives

The are currently no alternatives to DASWC

12. Reason for Recommendation/Conclusion

The recommendation is designed to inform members of the role and responsibilities of the Committee.

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Electoral Divisions: All

Local Government Act 1972: List of Background Papers

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Background Paper	Date	File Ref.
Nil		

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**OPERATING RULES AND TERMS OF REFERENCE FOR THE DEVON AUTHORITIES
STRATEGIC WASTE COMMITTEE**

1. Working Practices

1. The Committee is established under the provisions of Section 101 of the Local Government Act 1972. The area in which the Committee is to exercise its authority is within the administrative areas of Devon County Council and Torbay Council.

2. The Committee shall comprise of one elected Member with Cabinet/Executive or 'portfolio' responsibility for waste management from each of the respective Authorities, appointed by each Authority. Each Authority will ensure that its appointed Committee Member is a member of its Cabinet or Executive. Each Authority will elect a named substitute with full voting rights to attend if the appointed Member of the committee is unable to attend. Each Authority should notify the Administering Authority in writing of any appointment of a Deputy Committee Member. Authorities may change their appointee (in line with that Council's own procedures) at any time and notify the Administering Authority in writing.

3. Each Member of the Joint Committee appointed by a constituent Council shall be entitled to one vote on all matters before the Joint Committee.
Voting rights shall be restricted to those local authorities which make a financial contribution to the Committee's budget.

4. The role of each Committee Member will be to attend meetings of the Committee, to vote on items of business, to commit to and make a positive contribution to the Joint Committee, and to act as a champion and ambassador for the Committee, seeking any necessary approvals from their Authority.

5. The Committee shall normally meet 3 times per year, with an annual presentation of statistical performance.
The quorum for a meeting of the joint committee is one quarter of the whole number of the committee

6. The Chairman and Vice-Chairman shall be elected annually by the Committee; the offices of Chairman and Vice-Chairman shall rotate annually between the County Council and Torbay [as a group] and the District Councils [as a group], provided the relevant Committee Member represents a local authority with voting rights. Nominations for these posts may be stipulated by the constituent council or made and seconded by any Member of the Committee with all Members present holding voting rights being able to vote. The inaugural Chairman will be the County Council or Torbay Council appointee with the Vice Chairman being a District Council Member. This would then alternate, with a District Council Member as Chairman with a County Council or Torbay Member as Vice- Chairman and rotate annually.

The County Council shall be the Administering Authority for the Committee. The County Council's Procedure Rules (Standing Orders) and Financial Regulations shall apply to the Committee's procedures and activities.

7. The Committee shall have the power to co-opt other representatives to serve in a non-voting capacity. These would be Associate Members without voting rights but the ability to speak.

8. The County Treasurer shall hold a separate account for the Committee.

2. Terms of Reference

The purpose of the Committee is:-

1. To promote sustainable, cost effective and efficient service delivery through a shared approach to resource and waste management in Devon.
2. To take ownership of and be responsible for the development, implementation and review of the Resource and Waste Management Strategy for Devon Action Plan.
3. To exercise those responsibilities delegated to the Committee and to make recommendations to the respective Authorities including through the Chief Executives and Leaders group on matters of strategic importance including future strategy, collection, treatment and disposal of wastes; and to implement and further develop initiatives as requested by this group and joint consultative committees.
4. To share resources wherever practicable, having due regard to the opportunities for economies of scale to ensure effective use of resources including joint procurement opportunities to deliver savings to the public purse.
5. To continue to develop and implement behavioural change & education initiatives to ensure that communities are well informed and are actively encouraged to maximise their opportunities for waste minimisation, reuse and recycling & composting.
6. To consider and adopt funding policies for the Committee's Budget.
7. To administer payments from the Committee's Budget in accordance with the County Council's Financial Regulations to finance waste management activities; to receive accounts relating to Joint Schemes; and to consider the annual budget for the Committee.

3. Working Arrangements

1. Funding the Committee

(a) The County Council will withhold an agreed percentage of the recycling credit payment due to the District Councils (credits paid to voluntary groups are excluded from this calculation), with additional contributions from Devon County Council and Torbay Council. This amount will be accounted for separately and held by the County Treasurer on behalf of the Committee. The amount withheld will be agreed by the Committee annually, and will be calculated to produce an agreed budget for supporting waste management projects in Devon. The contribution will be calculated by applying the agreed percentage of the applicable recycling

credit rate for the area. In the event that the amount withheld is insufficient to fund agreed countywide projects, the shortfall will be made up by an adjustment in the following financial year.

(b) The Committee's budget will comprise the payments described in 1(a), plus existing balances held.

2. Membership of the Committee

If any of the parties wishes to cease making a financial contribution [as specified in paragraph 1(a) above], it shall be able to do so at the end of the financial year, on giving at least 6 months' prior written notice to that effect to each of the other parties and on such cessation and shall automatically cease to be (voting members) of the Committee from that date;

it shall be released from further contributions on condition that it accepts liability whether financial or otherwise for the effect of its action upon any commitments or other arrangements entered into in good faith by member authorities [on behalf of the Committee] with third parties prior to such cessation and shall automatically cease to be (voting members) of the Committee from any such agreed date.

3. Each party shall take out and maintain a public liability policy of insurance in respect of its activities as a member of the Committee in such sum and upon such terms as it shall see fit.

4. Reports for the Committee are to be considered by a Senior Waste Officer Group comprising of waste service managers from each of the respective Authorities which shall meet as required by the programme of Committee meetings. The Senior Waste Officer Group shall set up Working Parties as necessary to consider specific project areas, which will report back to the Senior Waste Officer Group and subsequently to Committee. A Recycling Officers' Forum, made up similarly, will report to the Senior Waste Officer Group on waste minimisation, re-use, recycling & composting initiatives and performance, and attend the Committee on an annual basis.

5. Minutes of the Committee shall be submitted to the relevant Cabinet/Executive or Committee of each constituent Council.

6. The County Council's Head of Service responsible for Waste shall collate annual recycling statistics for the Committee's consideration