



## **JOINT WASTE COMMITTEE MEETING**

### **Friday 30 November 2018 – 2:00pm**

### **Council Chamber, Town Hall, Bexhill**

Minutes of the Joint Waste Committee meeting held in the Council Chamber at Town Hall, Bexhill on Friday 30 November 2018 at 2:00pm.

Joint Waste Committee Members present: Councillors C. Fitzgerald (HBC) (Chair), M. Kenward (RDC) (Vice-Chair), N. Bennett (ESCC), P. Chowney (HBC), J. Dow (EBC), A. Ganly (RDC) and R. Standley (WDC).

Other Members present: Councillors J.J. Carroll (RDC), Mrs S.M. Prochak (RDC) and M.R. Watson (RDC).

Advisory Officers present:

<b>East Sussex County Council:</b>	Waste Team Manager.
<b>Hastings Borough Council:</b>	Director of Operational Services, Assistant Director Environment and Place and Marketing and Major Projects Manager.
<b>Lewes District and Eastbourne Borough Council:</b>	Waste Specialist Advisor.
<b>Rother District Council:</b>	Executive Director (Lead Director), Executive Director (Secretary), Assistant Director Resources, Head of Service Housing and Community, Neighbourhood Services Manager and Democratic Services Officer.
<b>Wealden District Council:</b>	Director of Environment and Community Services, Lead Head of Service and Waste Management Officer.
<b>Central Client Team:</b>	Joint Waste Partnership Manager and Deputy Project Manager.
<b>Kier Services Limited:</b>	General Manager and Business Manager.

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Publication Date: 5 December 2018

The decisions made under PART II will come into force on 13 December 2018 unless they have been subject to the call-in procedure.

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## JWC18/08. **MINUTES**

The Chair was authorised to sign the minutes of the meeting held on 27 July 2018 as a correct record of the proceedings.

## JWC18/09. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors P. Franklin (LDC), R. Galley (WDC), A. Shuttleworth (EBC), Jane Goodall – Strategy and Partnership Lead for Quality Environment (EBC/LDC), Cameron Morley – Waste and Cleansing Manager (HBC), Sue Oliver – Deputy Contract Manager (Joint Waste Office), Karl Taylor – Assistant Director Operations and Contract Management (ESCC) and Carl Valentine – Head of Transport and Operational Services (ESCC).

**PART II – EXECUTIVE DECISIONS** – subject to call-in procedure under Item 10 of the Joint Waste Committee Constitution by no later than 4:00pm on 12 December 2018.

## JWC18/10. **KIER SERVICES UPDATE** (7)

The General Manager and Business Manager led Members through Kier's presentation which provided an update on the current performance of the East Sussex Waste Collection, Recycling, Street & Beach Cleaning and Associated Services Contract.

**Health and Safety Performance:** Since the previous meeting, three refuse vehicles had been involved in accidents on A21, A22 and in Wealden. Fortunately there were no major injuries. Hire vehicles were used to cover the service while repairs were undertaken. Depots continued to deliver health and safety initiatives and improve culture. Kiers' health and safety record continued and remained consistently high. Members were reminded that Kier had received a 'Gold' award in the RoSPA Health and Safety Awards Scheme.

**Missed Collections:** Kiers' key aim was to focus on high quality service to all Partners. Service performance had improved across the Partnership in July / October 2018. Assurance was given that monitoring would be ongoing to ensure that service performance was maintained / improved until the end of the Contract.

**Key Operational Challenges:** A significant operational challenge was the national shortage of drivers. A recruitment drive was instigated by Kier's staffing sub-contractor Smart Solutions Ltd to attract HGV drivers. Additional support was also deployed and Members were advised that sickness levels remained low and had reduced by 250% in the last few months.

**Wealden Overview:** The following measures had been implemented to improve performance: ongoing recruitment drive to attract and retain drivers including an engagement plan; step-in service agreed and on stand-by as required to support; vehicle workshop at Amberstone depot; deployment of mobile mechanics; additional drivers utilised from

commercial operation; bring bank service improvements; deployment of 26 tonne vehicle to support all services.

**Summer Season:** It had been a successful summer period across the Partnership, particularly in Hastings where additional beachfront bins had been supplied and patrolling methods amended; Eastbourne covering all summer events; and at Camber where the new team was fully embedded.

**Litter:** Continued focus on litter collection along main 'A' routes and rural roads, additional sweepers for leaf season which had been extended by two weeks in high fall areas, as well as improvements to staff training. A significant additional challenge was the reduction of annual grass cutting by East Sussex County Council from three to one or two per annum.

**Recruitment:** Kier was addressing all staffing issues with its sub-contractor (Smart Solutions Ltd). In addition, a 'central pool' of agency staff would be held at Wealden and Bulverhythe and staff deployed across the Partnership. 110% of drivers sought to ensure full deployment across East Sussex. Kier had introduced internal driving training and implemented weekly induction training for all new employees. All Operational Managers were focused on maintaining an acceptable level of service.

**Christmas and New Year:** Plans had been finalised to support and co-ordinate services across the Partnership which included calendars; Christmas markets and late night shopping by deploying additional staff; New Year's Eve; Bank Holidays; and a weekend catch-up service.

**Demobilisation:** Kier's Demobilisation Plan was documented, currently in progress and updated regularly. Members were advised that Doug Teesdale had been assigned as the Demobilisation Manager. Monthly meetings were being held with the Partnership and local authorities. Focus now was on maintaining performance to the end of the Contract. Significant focus would be on investment in management, maintaining a driver pool and attracting / retaining staff.

Kier assured the Committee of their commitment to maintaining and improving service performance across the Partnership.

**RESOLVED:** That the presentation be noted.

## JWC18/11. **SERVICE PERFORMANCE UPDATE** (8.1)

The report of the Lead Director updated Members on performance across the Joint Waste Contract including total workflow, recycling levels, missed bin collections, street cleanliness and the current risks to joint waste services.

Since the last meeting, Kier's ability to resource, manage scheduled collections and daily street cleaning work had improved. During this period, external resources had been commissioned by Kier and

Wealden District Council to undertake mechanical street cleaning and collections respectively.

Average performance across the Partnership for collection services in June 2018 was approximately 608 misses per 100,000; this reduced to 226 misses per 100,000 by end of October 2018. Since May 2018, missed collections had remained a significant concern in Wealden. By the end of October, daily performance had improved which was attributed to Kier introducing new incentives and approaches to recruit and retain staff, as well as commissioning external resources. Monitoring would be ongoing.

Container stock/delivery performance remained an on-going concern across the Partnership. At the end of October 2018, 2,938 additional containers had been requested (236 Eastbourne; 737 Hastings; 839 Rother; and 1,126 Wealden). Officers were taking action to resolve supply and demand for garden waste bins, recycling boxes and seagull proof sacks. Discussion and monitoring would be on-going with Kier to address these issues.

The NI195 Street Cleansing surveys had regularly resulted in dispute throughout the contract. This had proved challenging, which had resulted in the implementation of contractual dispute resolution clauses every four months. Significant discussion and management time had been spent reviewing the surveys and mutual agreement had been reached to mitigate/minimise further disputes. Further work continued to tackle the root causes of littering and particular focus would be aimed at small incidents of fly-tipping.

Over the summer-autumn period, the level of contamination of dry recycling remained significantly high at 5.8%. It was noted that this contamination was residual waste rather than glass which was occasionally collected mixed into other dry recycling.

An update position for each individual Partner authority was provided as follows:

**Hastings Borough Council:** Overall performance had improved. Officers would continue to work with Kier to address litter and fly-tipping issues.

**Rother District Council:** A more reliable and consistent approach to the management of service delivery had improved since the appointment of the new permanent Operations Manager in June 2018. Waste collection performance had significantly improved. A challenging issue was the lack of stock of waste containers; Kier was working to reduce the backlog. The Council was working with Kier, residents and the Police to resolve access issues as a result of inconsiderate legally/illegally parked cars. Joint work was also continuing with residents to resolve access issues in private / unadopted roads. Action was still awaited to improve bring site collections across the district. Officers attributed the increased number of fly-tips to the introduction of charges at the Household Waste and Recycling Sites; monitoring would be ongoing.

**Wealden District Council:** Collection performance significantly deteriorated during July, August and September resulting in 3,000 missed bins per day. On two separate occasions, the Council had commissioned external resources to address the backlog. Discussions were held with Kier over the summer to address the underlying problems and since early October improvements had been realised. Following the re-introduction of dedicated rounds, bring site collections had improved. Backlog of container deliveries remained significant and waiting times for bins still exceeded four weeks. Replacement container stocks for communal facilities were required urgently. Staff resources at the Amberstone depot remained a concern. All issues would be closely monitored. Fly-tip clearance, bulky and clinical waste collection performance remained consistently good.

The JWP Risk Register (RR) was maintained as a current document by the JWP Manager and was available to Members on request. Four areas were currently considered as 'high risk', these included management of performance; Kier Contract Manager role; street cleaning performance; and extensive use of agency staff. As a consequence of the potential for a no-deal BREXIT agreement, three new risks had been added to the RR, these included fuel supply; recycling export market; and impact on workforce due to loss of non-British EU nationals. These risks were being regularly reviewed as Government information emerged. Short-medium term disruption was anticipated as a result of further Kier management changes.

**RESOLVED:** That the performance and progress made since the last meeting be noted.

JWC18/12.  
(8.2)

**PARTNERSHIP BUDGET 2018/19 AND EXPENDITURE FORECAST TO THE END OF MARCH 2019**

Consideration was given to the report of the Lead Director which updated the Committee on the Joint Waste Committee's (JWC) budget costs incurred to the end of September 2018 together with the expenditure forecast to March 2019, as well as a basic budget forecast to June 2019 when the contract was scheduled to expire.

The contract costs showed an annual total budget of £13,564,000; expenditure was £6,233,000 and forecast was £13,547,000. The administering authority budget showed an annual total budget of £204,540; expenditure was £64,960 and forecast was £201,370. An overspend was anticipated due to salary costs and would be offset by an underspend on supplies and services ensuring that the net position remained within budget.

The report also highlighted other expenditure incurred to the end of September 2018 (six months) and forecast expenditure to end of March 2019. The budget was £41,200; expenditure was £28,942 and forecast was £41,058. It was noted that additional Health & Safety audit and street cleaning assessment costs would be split equally between the four partners at year end. A communications campaign led by East Sussex County Council was currently being delivered until the end of the year.

The net position for the Partnership Client Unit Costs (Administering Authority) and other expenditure against approved budgets was forecast to be an underspend of approximately £3,000, which meant that a lower sum than expected would be recovered from each Partner at year end.

Future inflation rates were anticipated to rise by 2% (part thereof) in 2019/20. For financial planning purposes, it was recommended that a budget allowance of 0.5%, subject to variation be made for quantity increases across the Partnership area.

Final reconciliation of all Kier related service activities, the associated costs (including inflation), resolution of any contractual claims and variations was anticipated to be completed by end of September 2019. Members agreed it would be essential to ensure that all administrative work on the old and new contracts was appropriately planned and resourced.

**RESOLVED:** That each Council ensures sufficient budget provision in 2019/20 to fund Joint Waste Contract and Partnership costs to 29 June 2019.

JWC18/13. **HEALTH AND SAFETY: CLIENT AND CONTRACTOR AUDIT 2018**  
(8.3)

The Health and Safety Executive leadership guidance referred to a suitably authoritative contract safety review committee with representatives from client local authorities, the service provider and other parties affected by the contract; the Joint Waste Committee performed this role for the Joint Waste Contract and received an annual safety report to meet these obligations.

Formal procedures were required for auditing and reporting health and safety performance and each local authority had duties, in their client role, to ensure that Kier activities did not adversely affect the health or safety of people affected by those activities. The Partnership authorities were also responsible for ensuring Kier staff, vehicles and equipment received an appropriate level of supervision and that records existed to confirm that regular checks took place. The split of responsibilities between Kier and the Partnership authorities was described in the Joint Waste Health and Safety Policy.

Audits were conducted by the Partnership in 2015 and 2016. In 2015 focus had been on risks associated with collection operations, vehicle safety and route risk assessments, and in 2016 route risk assessments. In 2018, the audit was conducted between June and September by a specialist health and safety consultant. The work was undertaken in five parts, as follows: client responsibilities and documentation; contractor's documentation; depot inspections; interviews with Kier staff; and areas for improvement. A summary of the audit findings was detailed at Appendix A to the report.

Two key recommendations were highlighted:

- 1) the Partnership was to achieve a consistent standard and frequency of monitoring of collection rounds and street cleaning, and depot inspections; and
- 2) the Contractor to improve asbestos management, traffic management both in depots and on the public highway when litter picking, and to improve accident and incident reporting to the Partnership.

The Partnership Manager advised that steps would be taken to address the audit recommendations to ensure compliance with health and safety legislation.

**RESOLVED:** That:

- 1) the Health and Safety: Client and Contractor Audit Summary of Audit Findings be received;
- 2) the recommendations for the Joint Waste Partnership / Client teams be implemented; and
- 3) implementation of the Contractor's recommendations be monitored by the Joint Waste Office.

**JWC18/14. 2019 MEETING DATES**  
(8.4)

The Committee was required to agree its meeting dates for 2019 as currently there were no dates in place for future meetings.

Due to the fact that each Partner authority published their timetable of meetings at different times of the year, the approach had been taken to 'set' dates in advance of all timetables being available. Members were therefore asked to agree committee dates for 2019 as follows: 26 April and 27 September. The Committee noted that the meeting scheduled to be held on 27 September 2019 would be the final meeting.

**RESOLVED:** That the following meeting dates be agreed for the Joint Waste Committee for 2019:

- 26 April, to be held at 2:00pm, Town Hall, Eastbourne; and
- 27 September, to be held at 2:00pm, Muriel Matters House, Hastings.

**JWC18/15. DATE OF NEXT MEETING**  
(9)

The next meeting was scheduled to be held on Friday 26 April 2019 at 2:00pm in the Town Hall, Eastbourne.

**CHAIR**

The meeting closed at 2:30pm

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