



JOINT WASTE AND RECYCLING COMMITTEE MEETING

Friday 23 October 2020 at 10:00am

Remote Meeting

Minutes of the Joint Waste and Recycling Committee meeting held remotely on Friday 23 October 2020 at 10:00am.

Joint Waste and Recycling Committee Members present: C. Dowling (ESCC) (Chairman) P. Barnett (HBC) (Vice-Chairman), M. Evans (HBC) (in part), K. Field (RDC), R. Galley (WDC) (in part), S. Prochak (RDC) and R. Standley (WDC).

Other Members present: Councillor C.A. Madeley (RDC).

Advisory Officers present:

East Sussex County Council: Assistant Director Operations and Contract Management.

Hastings Borough Council: Assistant Director Environment and Place.

Rother District Council: Chief Executive (Secretary), Assistant Director Resources, Head of Service Housing and Community, Neighbourhood Services Manager, Environment and Policy Manager and Democratic Services Officer.

Wealden District Council: Director of Environment and Community Services, Head of Customer and Digital Services and Waste Manager.

Central Client Team: Joint Waste Partnership Manager and Deputy Contract Manager.

Biffa: Commercial Director, Regional General Manager and Senior Business Manager.

Others present: 16 members of the public via the YouTube live broadcast.

Publication Date: 29 October 2020

The Decisions made under PART II will come into force on 6 November 2020 unless they have been subject to the call-in procedure.

Prior to the formal commencement of the meeting, the Chairman advised that Dr Tony Leonard, Lead Director had recently left Rother District Council. Dr Leonard had been instrumental in the establishment of the Joint Waste Partnership and acted as Lead Director from the beginning. Tony had joined Biffa and it was pleasing to note that the Partnership would continue to benefit from his knowledge and experience moving forward. The Joint Waste and Recycling Committee thanked Dr Leonard for his hard work and commitment to the project and they wished him well for the future.

JWRC20/11. **MINUTES**

The Chairman was authorised to sign the minutes of the meeting held on 3 July 2020 at a later date as a correct record of the proceedings.

JWRC20/12. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Simon Crook – Operations Director (Biffa), Roger Edwards – Municipal Managing Director (Biffa), Justin Foster – Waste Team Manager (ESCC), Cameron Morley – Waste and Cleansing Manager (HBC) and Carl Valentine – Head of Transport and Operational Services (ESCC).

JWRC20/13. **DISCLOSURE OF INTERESTS**

There were no declarations of interest.

PART II – EXECUTIVE DECISIONS – subject to call-in procedure under Item 10 of the Joint Waste and Recycling Committee Constitution by no later than 4:00pm on 5 November 2020.

JWRC20/14. **BIFFA UPDATE**

The Senior Business Manager led Members through Biffa's presentation which provided an update on the Waste Collection, Recycling, Street and Beach Cleaning and Associated Services Contract. During the presentation the following points were noted:

- Health and Safety: This was a primary focus for Biffa. During the period 1 June to 30 September 2020, 702 near misses and hazards were reported, as well as six driving recklessly on pavements and 10 personal injuries. Out of 16,698 staff working days, the accident rate equated to 0.10%. The following techniques were applied: increased CCTV monitoring and depot based trainers (x6); promotion of reporting near misses and hazards; toolbox talks; accident investigations completed within six days; revised driver induction process; continuous review of COVID secure measures and safety improvement team meetings.
- HR Update: From September 2020, there were 17 (10 LGV drivers and seven Loader/Operatives) full-time vacant positions; these positions were currently being covered by agency staff. Average staff turn-over from June to September 2020 was 2.5%. The following innovations had been introduced namely electronic time and attendance systems across all locations; additional charge-hand based at St. Leonards supporting Rother services; and employment of a Business Manager within the management team.
- An updated Organisation Chart was presented which included two new additional positions namely, Business Manager and Charge-hand.
- Overall collection performance had improved particularly in Rother and Wealden. Hastings performance was inconsistent and was attributed to several logistical challenges; monitoring would be ongoing.

- Street cleansing performance had improved, apart from detritus levels which were below target for Wealden. Monitoring would be on-going.
- High Speed Road Maintenance Programme had been established and was being successfully executed across the Partnership.
- Container Deliveries: In August and September 100% of deliveries had been completed within the Service Level Agreement (90% in July).
- COVID-19: Between July and September 2020, 181 working days had been lost as a result of absence relating to the Coronavirus which had caused an impact on service performance. Staff displaying symptoms had encountered testing delays, which had caused greater periods of isolation due to uncertainty. Over the last three months, all employees had tested negative. Remedial key actions included a full review of the Business Continuity Plan (BCP), improved communications, signage, cleansing regimes and working practices, as well as increased personal protective equipment.
- Culture Change – Investment: Significant investment would be continued at both St. Leonards and Amberstone depots to improve safety, welfare and office facilities for all staff. Future plans were in place for Bellbrook. Monthly safety meetings between client officers and employees continued. Employee Engagement plans were established and “Champions” elected at each depot. Improvements had been made to employee communications including a downloadable Biffa Group App, known as Biffa Beat.
- Contractual Updates: It was confirmed that the Annual Improvement Plan had been submitted, the BCP amended and COVID Variation agreed and signed.

At the conclusion of the presentation, Members had the opportunity to ask questions and the following was noted:

- Workforce: Assurance was given that all COVID-19 safety measures had been implemented to ensure that the workforce was fully protected. Charge-hands had been employed to support and improve round knowledge (recruitment was ongoing at Hastings).
- Missed Collections: This was an ongoing challenge for Biffa particularly when it was difficult to identify where the rubbish had come from (which household). Supervisors would be focusing on service improvement. It was clarified that over the last two weeks only two repeated missed collections had happened in Hastings.
- Round Changes: As a result of COVID-19, it had been necessary to suspend the majority of planned round changes particularly in Hastings and Rother. At present, Biffa’s primary focus was on service performance however background progress would be on-going and it was anticipated that round changes would be implemented by April 2021.

RESOLVED: That the presentation be noted.

JWRC20/15. **SERVICE IMPROVEMENT PLANNING (CONTRACT YEAR 2)**

Biffa's Annual Services Improvement Plan (ASIP) sought to address how future improvements to services could be made and provided a mechanism for all parties to consider priorities and resources available. A copy of the ASIP was appended to the report at Appendix 1.

Biffa's Senior Business Manager comprehensively led the Committee through the ASIP and particularly focused on key improvement and innovation issues. Several matters required consideration and further clarification. During the discussion, the following salient points were noted:

- **Recycling Stickers:** Recycling Information leaflets with a sticker would be circulated to all households promoting the correct use of the dry recycling system. It was noted that the leaflet was being funded by East Sussex County Council and the sticker by Biffa. Members were fully supportive of the sticker scheme.
- **Bulky Waste Booking Process:** Operational issues had arisen therefore it was necessary for the Partnership to co-operate with Biffa regarding the on-line booking system. Accurate information regarding the items to be collected was imperative, to ensure that the service performance was maintained. Increased resource and / or costs could be warranted.
- **Customer Satisfaction Survey Feedback:** Two improvements had been identified by residents namely to provide thicker pink recycling sacks and that paper calendars be discontinued.

The Joint Waste Partnership Manager advised that 90% of pink recycling sacks were issued in Hastings and 10% in Rother (none in Wealden). Between July 2019 and June 2020, the Partnership delivered approximately 960,000 pink recycling sacks at a cost of £46,000 per annum. A common complaint was that the pink recycling sacks were insubstantial. It was confirmed that the pink recycling sacks were biodegradable and made of recyclable material. In recent months, the cost of the pink recycling sacks had significantly escalated by 25%, therefore it was agreed that further research on achieving better prices should be carried out prior to upgrading the pink recycling sacks.

It was important that customer contact migrated to digital on-line formats, however it was thought where significant round changes were implemented, paper calendars should be issued as well.

- **Camber Sands:** Over the winter period, Biffa in collaboration with Rother officers, would be investigating alternative containment and management solutions to address the high volume of litter accumulated during seasonal periods.
- **Container Management:** The Joint Waste Partnership Manager would be investigating ways to improve container management and reduce costs. Clarify was sought on container lifespan as this could have significant cost implications for the Partnership. It was

important that robust containers with a suitable range of spare parts were resourced and purchased.

- **Wheeled Bin Cleaning:** The Joint Waste Partnership Manager to assess the feasibility and benefits of a collaborative business opportunity across the Partnership and with Biffa. Once established, it was considered important that the Partnership did not subsidise this service.
- **Sustainability Joint Working Group:** Biffa was committed to reducing the carbon impact of services and was keen to support each Councils' carbon reduction declarations and aspirations towards being carbon neutral by 2030 / 2050.

A general discussion ensued on ways to reduce the Partnership's carbon footprint and one suggestion was the use of electric vehicles. Members were advised that the manufacturer (Dennis) was developing an electric version of the narrow fleet vehicle that Biffa currently operated. Operating an electric fleet would be more sustainable and cost-effective long-term compared to diesel. However, an electric fleet would only be effective and economically viable when operated in an urban area. The Committee recommended and agreed that the Joint Waste Office and Biffa developed an electric vehicle project to be trialled in Hastings.

Members were reminded that for financial and logistical reasons, the contract did not include the collection of cartons and tetra paks e.g. long-life milk, fruit juice etc., for recycling. Tetra paks required a special process to be recycled and there was only one facility in the UK that was able to do this.

The Joint Waste Partnership Manager advised that Biffa's Annual Report had not been included with the paperwork and therefore recommendation 1) would be removed.

The Committee welcomed the key improvements / innovations proposed by Biffa and felt that a joint approach with the Partnership was the best way forward. The Committee would be kept abreast of the ASIP's development.

RESOLVED: That:

- 1) officers be authorised to support delivery of the actions and activities proposed by Biffa in the Annual Service Improvement Plan;
- 2) the distribution of stickers and associated local communication efforts to reinforce recycling messages be supported;
- 3) officers be authorised to review bulky waste collection systems and improve customer satisfaction;
- 4) officers further research the costs of thicker pink plastic sacks prior to upgrading;

- 5) that electronic communications channels be prioritised (and consequently annual calendars not posted to all residents);
- 6) it be noted Rother will consider proposals for improving the management of litter at Camber;
- 7) officers be authorised to assess the feasibility and commercial benefits of a collaborative wheeled bin cleaning opportunity;
- 8) officers be authorised to invite and include Biffa in local climate change and carbon reduction forums; and
- 9) the Joint Waste Office and Biffa developed an electric vehicle project to be trialled in Hastings.

JWRC20/16. FINANCIAL POSITION 2020-21 AND BUDGET PROVISION 2021-22

At the last meeting, the Joint Waste and Recycling Committee was advised to make a 2% allowance for inflation on contract costs. Inflation had now been applied at 1.37% and all bill rates (pricing schedules) had been updated.

The contract costs showed an annual total core budget of £12,727,289.04. Pending completion of the Procurement Policy Notice 02/20 Variation a credit of £75,286.92 would be credited to the Partnership.

The annual expenditure forecast for 2020/21 was £220,690; this sum was invoiced to the partners once a quarter with Quarter 4 adjusted for actual spend.

The report also highlighted the cost of recoverable items. The highest spend was in Quarters 1 and 2 (Spring/Summer) and the lowest during Quarters 3 and 4 (Autumn/Winter). This was attributed to the seasonal fluctuation in garden waste tonnages, as well as the annual renewal process for garden waste subscriptions.

For financial planning purposes, it was recommended that a budget allowance of 1.8%, subject to variation be made for inflation and quantity increases across the Partnership area. It was also recommended that each council considered local demand for non-core services to ensure that sufficient budget provision was made for 2021/2022.

RESOLVED: That each partner made adequate budget provision with regard to Joint Waste Contract costs for the financial year 2021/22.

JWRC20/17. UK ENVIRONMENT BILL: INITIAL PREPARATIONS AND CONSIDERATION OF FOOD WASTE REQUIREMENTS

Consideration was given to the report of the Joint Waste Partnership Manager which advised Members of matters arising as a result of, the UK Environment Bill (EB) which was currently progressing through Parliament and scheduled to be enacted in Spring 2021. Several key

requirements were scheduled to be implemented by 2023 and the Partnership would need to consider and make decisions during 2021-22 on the service implications.

Members noted that the EB sought to transform how the UK managed waste by enabling powers that would require companies to take more responsibility for the products and materials they placed on the market, especially when they became waste. It would also introduce a consistent approach to recycling, tackling waste crime, creating powers to introduce bottle deposit return schemes and enabled effective litter enforcement. It also allowed the introduction of new charges for single use plastic items with the aim that single use was minimised and suitable incentives were created for reusable alternatives.

The Joint Waste and Recycling Committee (JWRC) considered the following key matters which would be required during 2021-22:

- **Deposit Scheme (or Deposit Return Scheme - DRS):** To collect and recycling single use drinks containers e.g. drinks cans and bottles and possibly coffee cups. Consumers would pay a deposit and get it back if they returned the container. The report detailed the advantages and disadvantages of introducing a DRS. The impact on the Partnership would be analysed once further information was known. To improve income, a suggestion was proposed that the Partnership considered implementing their own DRS.
- **Resource Efficiency:** The Office for Environmental Protection (OEP) would be responsible for the matrix of policies, plans and targets required to fully implement the principles of the EB. Local authorities would be required to submit data returns and meet set targets. The Partnership's data recording systems were considered capable of providing the required information however there could be a risk regarding insufficient resources to manage this.
- **Consistency:** The EB sought to reduce householder confusion regarding what could or could not be recycled. Members were advised that the Partnership could meet most of the consistency provisions detailed within the EB.
- **Food Waste:** Implementation of a new food waste collection service would have policy and budget implications for the Partnership. Appendix A to the report detailed the specific areas the Partnership would need to consider. Officers would plan an implementation project and make recommendations as to how the necessary approvals could be achieved once the final EB became law. Food Collection Services would be implemented from January 2023 and a "tight" timetable of project milestones was detailed within the report. Members were reminded that the current contract already included provision for the implementation of food waste collections but exemptions to the 2023 implementation date might be offered to local authorities with existing contractual commitments; legal clarification would be sought. Low-carbon options would be investigated regarding vehicle technologies (electric / hydrogen

fleet) etc. Members were advised that at present food waste was deposited alongside the general waste at the Newhaven Energy Recovery Facility which was recycled into electricity. Should the collection of food waste become compulsory, East Sussex County Council have the capacity at the Woodlands Composting Facility, Whitesmith to treat it.

- Free Garden Waste Collections: An earlier draft of the EB included free garden waste collections; this provision had not been included in the latest draft version.
- Charges for Single-Use Plastics: The EB made provision for charges to be introduced for single-use plastic items and for the carrier bag charge to be increased. New taxation was proposed for the production and import of plastic packaging in the UK. As a result of COVID-19 the long-term economic impact was unknown, therefore it was uncertain whether the Government would be able to maintain its environment policy commitment. Members would be kept abreast of all financial implications and how they could be quantified and managed.
- Extended Producer Responsibility: The EB included powers to introduce new extended producer responsibility scheme which would make producers responsible for the full net costs of managing their products when they were ready to be thrown away. The consultation on the final draft EB in 2021 would provide detail of how funding would be handed down to the local authorities.

The JWRC felt that it was important that Parliament was lobbied to ensure that the targets set in the EB delivered climate change benefits and that the financial and policy implications for each Council were achievable for the Partnership. Due to the tight timescales required, Members agreed that the Joint Waste Partnership Manager and her team, in collaboration with Partnership officers, including Eastbourne and Lewes Councils and the Waste Strategy Resources Group developed an outline food waste service plan including financial and operational contingencies, and that a report be presented to the JWRC meeting scheduled to be held on 26 March 2021.

RESOLVED: That the Joint Waste Office in collaboration with the Partnership officers, including Eastbourne and Lewes Councils and Waste Strategy Resources Group developed an outline food waste service plan including financial and operational contingencies, and that a report be presented to the Joint Waste and Recycling Committee at the meeting scheduled to be held on 26 March 2021.

JWRC20/18. **MEETING DATES 2021**

The Committee was required to agree its meeting dates for 2021 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. In order to

avoid any other meetings of the Partner authorities, the Joint Waste and Recycling Committee (JWRC) had previously met on a Friday at 10:00am. It was recommended that the meetings commenced from March/April 2021. Members were therefore asked to agree Committee dates for 2021 as follows: 26 March; 2 July; 1 October; and 7 January 2022.

As a result of the COVID-19 pandemic, the Committee agreed the above dates and that meetings be held on MS Teams until such times as the legislation allowing virtual meetings was repealed.

RESOLVED: That the following meeting dates and times be agreed for the Joint Waste and Recycling Committee for 2021:

- 26 March, to be held at 10:00am, on MS Teams;
- 2 July, to be held at 10:00am, on MS Teams (if permitted);
- 1 October, to be held at 10:00am, on MS Teams (if permitted); and
- 7 January 2022, to be held at 10:00am, on MS Teams (if permitted).

JWRC20/19. **TRANSFER OF ADMINISTERING AUTHORITY**

Members considered the report of the Secretary to the Joint Waste and Recycling Committee which proposed necessary changes to the Partnership's administering authority.

Due to recent staffing changes at Rother District Council, it was proposed that the Lead Director and contract administration roles transfer to Wealden District Council (WDC). Within the governance structure of the Partnership, the Leader Director role sat under the Administrative Authority (AA). It was noted that WDC had offered to take over the role of AA with its associated functions from 1 April 2021. Financial systems would be established and Transfer of Undertakings [Protection of Employment] (TUPE) arrangements would be implemented for the Joint Waste Office staff.

RESOLVED: That the Joint Waste and Recycling Committee:

- 1) recommends to the Partnership Authorities that Rother District Council ceases to act as the Administering Authority for the Joint Waste Partnership from 1 April 2021;
- 2) nominate Averil Price, Director of Community and Customer Services at Wealden District Council, as the Lead Director with immediate effect; and
- 3) recommends that Wealden District Council be appointed as the Administrative Authority with effect from 1 April 2021.

JWRC20/20. **DATE OF THE NEXT MEETING**

It was confirmed that the next meeting was scheduled to be held remotely on MS Teams on Friday 8 January 2021 at 10:00am.

CHAIRMAN

The meeting closed at 12:30pm.