

# Public Document Pack

**Late item for Scrutiny Board (Safer and Stronger Communities) on 13 October 2014**

Pages 1-12: Agenda item 9: Waste Management – Draft Terms of Reference for Forthcoming Scrutiny Inquiries

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**Report of Head of Scrutiny and Member Development**

**Report to Safer and Stronger Communities Scrutiny Board**

**Date: 13<sup>th</sup> October 2014**

**Subject: Waste Management - draft terms of reference for forthcoming Scrutiny inquiries**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Purpose of this report**

1. At the beginning of the municipal year, the Safer and Stronger Communities Scrutiny Board agreed to undertake a review of the city's Integrated Waste Strategy as well as assisting the service in determining recycling options for households deemed unsuitable for alternate weekly collections of recyclable and residual waste.
2. A working group meeting was held in September to discuss the potential scope of these inquiries. Draft terms of reference relating to these inquiries are attached as follows for the Board's consideration and agreement:

Appendix 1 – Integrated Waste Strategy Review

Appendix 2 – Determining recycling options for non-AWC households

3. The Scrutiny Board Procedure Rules require that, before embarking on an inquiry/review, the Board seeks and considers the views of the relevant Director and Executive Member. These views will need to be taken into account when agreeing the terms of reference for these inquiries.

**Recommendations**

4. Members are asked to consider and agree the attached draft terms of reference.

**Background papers<sup>1</sup>**

5. None used

<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

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## SCRUTINY BOARD (SAFER AND STRONGER COMMUNITIES)

### INTEGRATED WASTE STRAETGY REVIEW DRAFT TERMS OF REFERENCE

#### 1.0 Introduction

- 1.1 The Integrated Waste Strategy for Leeds outlines the context for and principles of the Council's strategic vision for waste management. The Strategy focuses primarily on municipal waste, which is waste collected by the Council and consists mostly of waste from households. However, municipal waste is only a part of the overall waste generated in the City and therefore the Strategy also recognises that the Council has a key role in encouraging businesses and communities to manage waste more sustainably.
- 1.2 The existing Strategy, adopted in 2005, takes a long term view of waste management and sets out key principles and themes for delivering integrated solutions for waste over a 30 year period.
- 1.3 The Strategy also sets a vision of 'a zero waste city, whereby we reduce, re-use, recycle and recover value from all waste, waste becomes a resource and no waste is sent to landfill'. This vision reflects the Council's commitment to using the nationally recognised Waste Hierarchy (i.e. Reduce, Reuse, Recycle, Recover and Dispose) as the framework for waste management in Leeds.
- 1.4 In December 2011, the Executive Board reaffirmed the vision and key principles of the Integrated Waste Strategy. Linked to this, the Executive Board also revised the Council's Recycling Strategy to incorporate a range of agreed medium to long-term improvements to kerbside recycling collections and increased the Council's household waste recycling target to 55% by 2016, with a long-term target to exceed 60%.
- 1.5 Acknowledging that there are many uncertainties in projecting as far as 30 years ahead, in particular the growth in waste and the markets for materials, the Integrated Waste Strategy remains flexible and responsive enough to adjust and change in the light of developments.
- 1.6 This year, the Safer and Stronger Communities Scrutiny Board agreed to review the city's Integrated Waste Strategy to ensure that it remains fit for purpose as the framework for waste management in Leeds and actively promotes the Waste Hierarchy.
- 1.7 Acknowledging that waste collection authorities must ensure compliance with the Waste (England and Wales) Regulations 2012 (the "Regulations"), the Scrutiny Board learned that Regulation 13 in particular states that from 1st January 2015, all waste collection

authorities will be required to collect paper, metals, plastics and glass separately, where doing so is:

- “necessary to ensure that waste undergoes recovery operations in accordance with Articles 4 and 13 of the Waste Framework Directive and to facilitate or improve recovery” (the ‘Necessity Test’); and
- “technically, environmentally and economically practicable” (the ‘Practicability’ or ‘TEEP Test’)

1.8 In line with the Directive, the Regulations state that co-mingled collection with subsequent separation is viewed as a form of separate collection for the purpose of Regulation 13, provided that it can achieve high quality recycling similar to that achieved with separate collection.

1.9 Separate collection must meet all three elements of the Practicability Test to be required. If it fails any one of them, co-mingled collection of the material(s) is permissible. As part of this review, the Scrutiny Board will therefore also be assisting the service to carry out a robust assessment of the Council’s collection systems in accordance with the Regulations.

## **2.0 Scope of the inquiry**

2.1 The purpose of the inquiry is to make an assessment of and, where appropriate, make recommendations on the following areas:

- National and local waste management drivers and their potential impact on the city’s Integrated Waste Strategy.
- The Council’s collection systems in accordance with Regulation 13 of the Waste (England and Wales) Regulations 2012.
- The effectiveness of the local waste management infrastructure in accordance with the nationally recognised Waste Hierarchy.
- The future governance and monitoring of the Integrated Waste Strategy.

## **3.0 Desired Outcomes and Measures of Success**

3.1 It is important to consider how the Scrutiny Board will deem if their inquiry has been successful in making a difference to local people. Some measures of success may be obvious and others may become apparent as the inquiry progresses and discussions take place.

3.2 Dealing effectively with the city’s waste is one of the key objectives set out with the Best Council Plan 2013-17. Linked to this, the key priorities are ensuring a safe, efficient and reliable waste collection service; providing a long-term solution for disposing of our waste; and increasing recycling and reducing the use of landfill.

3.3 The Scrutiny Board therefore aims to ensure that the Integrated Waste Strategy remains fit for purpose in delivering the priorities set out within the Best Council Plan.

#### **4.0 Comments of the relevant Director and Executive Member**

4.1 In line with Scrutiny Board Procedure Rule 12.1 where a Scrutiny Board undertakes an Inquiry the Scrutiny Board shall consult with any relevant Director and Executive Member on the terms of reference.

#### **5.0 Timetable for the inquiry**

5.1 The Inquiry will take place over a number of sessions. These sessions will involve smaller working group meetings with stakeholders, which will provide flexibility for the Board to gather and consider evidence.

5.2 The length of the Inquiry is subject to change. However it is anticipated that a final report will be produced in April 2015.

#### **6.0 Submission of evidence**

##### **6.1 Session one – November 2014**

To consider the national and local waste management drivers and their potential impact on the city's Integrated Waste Strategy.

To consider the Council's collection systems in accordance with Regulation 13 of the Waste (England and Wales) Regulations 2012.

To visit and observe operations at the Material Recycling Facility (MRF) linked to the co-mingling of dry recyclables in the SORT bins.

##### **6.2 Session two – December 2014**

To consider the Council's response to Regulation 13 of the Waste (England and Wales) Regulations 2012.

##### **6.3 Session three – January 2015**

To consider the effectiveness of the local waste management infrastructure in accordance with the nationally recognised Waste Hierarchy. In particular, the Council's approach to encourage waste minimisation and the reuse agenda.

##### **6.4 Session four – February 2015**

To consider the future governance and monitoring arrangements linked to the Integrated Waste Strategy.

## 6.5 **Session five – March 2015**

To consider the findings and potential recommendations arising from this review.

## 7.0 **Witnesses**

7.1 The following have been identified as possible contributors to the inquiry, however others may be identified during the course of the inquiry:

- Director of Environment and Housing
- Executive Member for Cleaner, Stronger and Safer Communities
- Chief Officer Waste Management
- Head of Strategy & Infrastructure, Waste Management
- Head of Waste Operations
- Representation from WRAP
- Representation from the Material Recycling Facility Operator

## 8.0 **Equality and Diversity / Cohesion and Integration**

8.1 The Equality Improvement Priorities 2011 to 2015 have been developed to ensure our legal duties are met under the Equality Act 2010. The priorities will help the council to achieve its ambition to be the best City in the UK and ensure that as a city work takes place to reduce disadvantage, discrimination and inequalities of opportunity.

8.2 Equality and diversity will be a consideration throughout the Scrutiny Inquiry and due regard will be given to equality through the use of evidence, written and verbal, outcomes from consultation and engagement activities.

8.3 The Scrutiny Board may engage and involve interested groups and individuals (both internal and external to the council) to inform recommendations.

8.4 Where an impact has been identified this will be reflected in the final inquiry report, post inquiry. Where a Scrutiny Board recommendation is agreed the individual, organisation or group responsible for implementation or delivery should give due regard to equality and diversity, conducting impact assessments where it is deemed appropriate.

## 9.0 **Post inquiry report monitoring arrangements**

9.1 Following the completion of the Scrutiny inquiry and the publication of the final inquiry report and recommendations, the implementation of the agreed recommendations will be monitored.



- 9.2 The final inquiry report will include information on the detailed arrangements for how the implementation of recommendations will be monitored.

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## **SCRUTINY BOARD (SAFER AND STRONGER COMMUNITIES)**

### **DETERMINING RECYCLING OPTIONS FOR NON-AWC HOUSEHOLDS DRAFT TERMS OF REFERENCE**

#### **1.0 Introduction**

- 1.1 In December 2011, the Executive Board revised the Council's Recycling Strategy to incorporate a range of agreed medium to long-term improvements to kerbside recycling collections and increased the Council's household waste recycling target to 55% by 2016, with a long-term target to exceed 60%.
- 1.2 Previously, the Safer and Stronger Communities Scrutiny Board has demonstrated its commitment in assisting the Council achieve its recycling targets by undertaken specific pieces of work. Recognising that the successful roll out of alternate weekly collections (AWC) of recyclable and residual waste would be a key factor in achieving the revised recycling target, the Scrutiny Board worked in conjunction with the Waste Management Service last year to evaluate the first phase of the roll out in order to help inform future phases.
- 1.3 The Scrutiny Board also considered the criteria associated with the AWC scheme and in doing so, acknowledged the need to find alternative recycling options for those households deemed unsuitable to receive an alternate weekly collection in accordance with the agreed criteria. The Scrutiny Board therefore welcomes the opportunity to work closely with the Waste Management Service again in determining the most appropriate recycling options for non-AWC households.

#### **2.0 Scope of the inquiry**

- 2.1 The purpose of the Inquiry is to make an assessment of and, where appropriate, make recommendations on the following areas:
  - Details of households currently considered unsuitable for AWC.
  - The proposed 'menu' of alternative options (to include details of any option appraisals already undertaken by the service which may have led to particular options being excluded)
  - The challenges linked to different property types, with particular reference to high rise flats.
  - The processes used in determining a preferred option for an area that will also enable a cohesive waste management service to be delivered (to consider where trials have already been undertaken across the city)
  - Appropriate mechanisms for communicating preferred options to residents.

### **3.0 Desired Outcomes and Measures of Success**

- 3.1 It is important to consider how the Scrutiny Board will deem if their inquiry has been successful in making a difference to local people. Some measures of success may be obvious and others may become apparent as the inquiry progresses and discussions take place.
- 3.2 Dealing effectively with the city's waste is one of the key objectives set out with the Best Council Plan 2013-17. Linked to this, the key priorities are ensuring a safe, efficient and reliable waste collection service; providing a long-term solution for disposing of our waste; and increasing recycling and reducing the use of landfill.
- 3.3 This Scrutiny Board inquiry therefore aims to assist the Council in meeting the relevant objectives and priorities set out with the Best Council Plan, with particular reference to meeting the household waste recycling target of 55% by 2016, with a long-term target to exceed 60%.

### **4.0 Comments of the relevant Director and Executive Member**

- 4.1 In line with Scrutiny Board Procedure Rule 12.1 where a Scrutiny Board undertakes an Inquiry the Scrutiny Board shall consult with any relevant Director and Executive Member on the terms of reference.

### **5.0 Timetable for the inquiry**

- 5.1 The Inquiry will take place over a number of sessions. These sessions will involve smaller working group meetings with stakeholders, which will provide flexibility for the Board to gather and consider evidence.
- 5.2 The length of the Inquiry is subject to change. However it is anticipated that a final report will be produced in April 2015.

### **6.0 Submission of evidence**

#### **6.1 Session one – November 2014**

To consider evidence in relation to the following:

- Details of households currently considered unsuitable for AWC.
- The proposed 'menu' of alternative options (to include details of any option appraisals already undertaken by the service which may have led to particular options being excluded)

#### **6.2 Session two – December 2014**

To consider the challenges linked to different property types, with particular reference to high rise flats.

### 6.3 **Session three – January 2015**

To consider the processes used in determining a preferred option for an area that will also enable a cohesive waste management service to be delivered (to consider where trials have already been undertaken across the city)

### 6.4 **Session four – February 2015**

To consider appropriate mechanisms for communicating preferred recycling options to residents.

### 6.5 **Session five – March 2015**

To consider the findings and potential recommendations arising from this inquiry.

## 7.0 **Witnesses**

7.1 The following have been identified as possible contributors to the inquiry, however others may be identified during the course of the inquiry:

- Director of Environment and Housing
- Executive Member for Cleaner, Stronger and Safer Communities
- Chief Officer Waste Management
- Head of Strategy & Infrastructure, Waste Management
- Head of Waste Operations
- Relevant Ward Councillors
- Representation from refuse collection crews
- Representation of occupants of high rise flats

## 8.0 **Equality and Diversity / Cohesion and Integration**

8.1 The Equality Improvement Priorities 2011 to 2015 have been developed to ensure our legal duties are met under the Equality Act 2010. The priorities will help the council to achieve it's ambition to be the best City in the UK and ensure that as a city work takes place to reduce disadvantage, discrimination and inequalities of opportunity.

8.2 Equality and diversity will be a consideration throughout the Scrutiny Inquiry and due regard will be given to equality through the use of evidence, written and verbal, outcomes from consultation and engagement activities.

8.3 The Scrutiny Board may engage and involve interested groups and individuals (both internal and external to the council) to inform recommendations.

- 8.4 Where an impact has been identified this will be reflected in the final inquiry report, post inquiry. Where a Scrutiny Board recommendation is agreed the individual, organisation or group responsible for implementation or delivery should give due regard to equality and diversity, conducting impact assessments where it is deemed appropriate.

**9.0 Post inquiry report monitoring arrangements**

- 9.1 Following the completion of the Scrutiny inquiry and the publication of the final inquiry report and recommendations, the implementation of the agreed recommendations will be monitored.
- 9.2 The final inquiry report will include information on the detailed arrangements for how the implementation of recommendations will be monitored.

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