

Report to the Cabinet

Report reference: C-043-2008/09
Date of meeting: 6 October 2008



Portfolio: Environment.

Subject: Waste Management Partnership Board – amendments to Partnership Charter.

Responsible Officer: John Gilbert (01992–564062).

Democratic Services Officer: Gary Woodhall (01992–564470).

Recommendations/Decisions Required:

To agree to the proposed changes to the wording of the Waste Management Board Partnership Charter

Executive Summary:

The new waste management contract with Sita commenced in November 2007. The contract has within it arrangements for the formation of a Partnership Board whose role it is to oversee the management and future development of the contract.

The contract documentation has within it a Partnership Charter, the wording of which was based around an existing charter document relating to a contract operated by a central London borough. This document was included within the tender documents so as to provide a template for the Epping Forest Charter once the Board had been established and met.

This report sets out the changes requested by the Board and seeks Cabinet's approval to them.

This is not a key decision

Council Plan 2006-10: "Green & Unique" – GU2 Increase levels of recycling
KPIs: Ni191, NI192, NI195, NI196

Reasons for Proposed Decision:

To enable the Partnership Charter to reflect local circumstances and constitutional arrangements

Other Options for Action:

The only option is not to accept the changes and leave the wording based upon Charter arrangements elsewhere. This cannot be recommended.

Report:

1. The new waste management contract with Sita commenced in November 2007. The contract has within it arrangements for the formation of a Partnership Board whose role it is to oversee the management and future development of the contract. The contract

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2. The Partnership Board met for the first time on the 15 July, when amongst other things, it reviewed the wording of the Charter template and considered changes to reflect local circumstances and constitutional arrangements.

3. The changes put forward are as follows:

(a) To amend the Charter to reflect the decision of Council that the Partnership Board should comprise of:

The Authority

- the Environment Portfolio Holder (as Chairman)
- the Leader of Council
- the Director of Environment & Street Scene
- the Council's representative under the contract

The Service Provider

- the Operations Director
- the General Manager (South East region)
- the Finance Director (or his representative)
- the Contract Manager for the Epping Forest contract

(b) To amend the sum of money to be provided by the Service Provider in support of the Innovation Forum to £5,000 per annum;

(c) Throughout the contract to insert the word "Service" in front of the word "Provider"; and

(d) Throughout clause 8 of the Charter, and to reflect the future Audit Commission inspection regime, the addition of the phrase "CAA" alongside "CPA"

4. These changes were required to be agreed by the Safer, Cleaner, Greener Standing Scrutiny Panel and its parent Overview and Scrutiny Committee. The Panel and Overview & Scrutiny Committee agreed them at their meetings on the 2 and 29 September respectively.

Resource Implications:

There are no resource implications

Legal and Governance Implications:

The Council's responsibilities and duties as a waste collection authority are established in the main through the Environmental Protection Act 1990 and associated regulations and guidance. There are no Human Rights implications arising from the recommendation.

Safer, Cleaner and Greener Implications:

The establishment of the Partnership Board is a key component of the Councils waste strategy and therefore the establishment of accurate and effective operational clauses for that Board are essential.

Consultation Undertaken:

None required since the Board acts on behalf of both the Council and its service provider, Sita

Background Papers:

Original tender documentation for the waste management contract
Non restricted elements of the notes to the Waste Management Partnership Board meeting
Safer, Cleaner, Greener Standing Scrutiny Panel Agenda
Overview & Scrutiny Committee Agenda

Impact Assessments:

There are no significant risks to the Council through the adoption of the recommendation
There are no equality of diversity issues associated with the adoption of the recommendation