

Report to the Cabinet

Report reference: C/075/2007-08.

Date of meeting: 12 November 2007.



**Epping Forest
District Council**

Portfolio: Environmental Protection.

Subject: Waste Management Partnership Board.

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

Recommendations:

- (1) That, in accordance with the terms of the new waste management contract, the establishment of the Waste Management Partnership Board be recommended to the Council for approval, with a membership of eight split equally between the Council and the Waste Management Contractor, Sita;**
- (2) That the Council's membership of the Waste Management Partnership Board be recommended to Council for approval as follows:**
 - (a) The Environmental Protection Portfolio Holder (to be Chairman);**
 - (b) A Member nominated by the Overview & Scrutiny Committee;**
 - (c) The Director of Environment & Street Scene; and**
 - (d) The Council's representative under the Contract;**
- (3) That Sita's membership of the Waste Management Partnership Board be noted as follows:**
 - (a) The Operations Director Municipal Division;**
 - (b) The Sita Finance Director (or his nominated representative);**
 - (c) General manager Municipal South East Region; and**
 - (d) The Senior Contract Manager for the Epping contract;**
- (4) That meetings of the Board on a quarterly basis, with one meeting designated as the annual general meeting, be recommended to the Council for approval;**
- (5) That, at the invitation of the Chairman, the attendance of non Board Members at meetings of the Board be permitted;**
- (6) That the following key functions of the Board be recommended to the Council for approval:**
 - (a) To monitor service performance;**
 - (b) To encourage innovation and to monitor the innovation forums;**
 - (c) To manage the contract proactively;**

- (d) To encourage partnership working;
 - (e) To resolve differences;
 - (f) To review the partnership; and
 - (g) To report to Cabinet on an annual basis; and
- (7) That the Sita and Royal Borough of Kensington & Chelsea Partnership Charter be accepted in principle but that the Epping/Sita Waste Management Partnership Board be requested to review it and to recommend an amended version to the Cabinet and Council in due course.**

Report:

1. The new waste management contract contains within it provision for the establishment of a Partnership Board and Partnership Charter. It is proposed that the Partnering arrangements be based on those that exist between Sita and the Royal Borough of Kensington & Chelsea, since these have been in place for a number of years and the process is working well for both parties. A copy of the Sita/RBKC Partnership Charter is attached for information.

2. The Board are recommended to have the following key functions or responsibilities:

- (a) to monitor service performance;
- (b) to encourage innovation and to monitor the innovation forums;
- (c) to manage the contract proactively;
- (d) to encourage partnership working;
- (e) to resolve differences;
- (f) to review the partnership; and
- (g) to report to the Cabinet on an annual basis.

3. It should be noted that the Board is a strategic body and will therefore not involve itself in day-to-day operational issues

4. Although the RBKC Board does not have provision for routine Member involvement, the previous Epping Forest District Council Partnership Board did, being chaired by the Portfolio Holder and having a Member nominated by Overview & Scrutiny. It is proposed that a similar membership should be established for this Partnership Board. It is further suggested that the Board also have two officers as members, the Service Director and the officer overseeing the contract. In order to reflect parity on the Board it is recommended that Sita be invited to nominate 4 persons to sit on the Board, those persons to be as set out in recommendation (2).

5. The attached Charter relating to the Royal Borough of Kensington & Chelsea Contract provides an excellent model upon which to base this District's charter. However, it would be sensible to review this at an early stage and it is therefore suggested that the Board undertake this review as soon as possible, so that Cabinet can formally adopt in due course.

Statement in Support of Recommended Action:

6. The Partnership Board is a key component of the new waste management contract.

The new contract is designed to be non confrontational, relying as it does on 'guaranteed' payment for base operational costs but with profit and overheads being dependant upon the contractor performing to agreed Key Performance Indicators (KPIs).

7. The Board has a key role in setting these KPIs and then monitoring them over the life of the contract. In order to function strategically the Board's membership should be constrained, concentrating on overview and allowing officers and contractor management to run the contract on a day-to-day basis. In order to ensure that the Board has both executive and scrutiny representation, membership is proposed as the Portfolio Holder and a nominee of Overview & Scrutiny.

8. The Partnership Charter should reflect local circumstances and one of the Board's first roles should be to review the Kensington model and recommend to Cabinet for adoption any changes.

Other Options for Action:

9. The only options other than recommended are:

- (a) not to establish the Partnership Board;
- (b) to establish the Board with a different membership structure; or
- (c) to use the Royal Borough of Kensington & Chelsea Charter without modification

10. Option (a) cannot be recommended since it forms a key component of the new contract and instils into the contract management and delivery the fundamental requirement for the Council and Sita to work together to deliver cost effective and high quality services to residents.

11. Under option (b) there are a number of possibilities for different structural models. However, if the Partnership is to be meaningful, then the size of the Board should reflect that, with its structure being as even handed with Sita as possible whilst remaining strategic in its outlook.

12. The attached Charter could be used without modification but is it clearly sensible to modify where appropriate to reflect local circumstances.

Consultation Undertaken:

13. Sita have been consulted and are content with the proposals being put forward to the Cabinet.

Resource Implications:

Budget Provision: Within operational waste management budget.

Personnel: Nil.

Land: Nil.

Council Plan 2006-10/BVPP Reference: "Green & Unique" – GU2.

Relevant Statutory Powers: Environmental Protection Act 1990.

Background Papers: Cabinet reports on appointment of new waste management contractor.

Environmental/Human Rights Act/Crime and Disorder Act Implications: Enhanced levels of waste management service, including waste collection, recycling and improved street scene

Key Decision Reference (if required): N/A.