

## OXFORDSHIRE WASTE PARTNERSHIP JOINT COMMITTEE

Minutes of a meeting of the Oxfordshire Waste Partnership Joint Committee held at Bodicote House, Bodicote, Banbury on Friday 29 February at 9.30am.

Present: Councillor Kieron Mallon (in the Chair) (CDC)

Councillors Roger Belson (OCC), Dorothy Brown (SODC), Tony De Vere (VOWHDC), Jean Fooks (O City), Barry Norton (WODC).

Officers: Wayne Lewis (OWP Co-ordinator), Colin Bailey (O City), C Cousins (OCC), Ian Davies (CDC), Carolyn Durrant (OCC), Cath James (WODC), Clare Kingston (SODC), Andrew Pau (OCC), T Saddler (O City), Sally Wilson (SODC), Steve Lodge (CDC).

### PART I: MATTERS NOT OF AN EXEMPT OR CONFIDENTIAL NATURE

250	<b>MINUTES</b>	<b>ACTION BY</b>
	<p>The Committee noted that the word "meeting" had been omitted from the third line of the first paragraph in respect of Minute 237 Matters Arising and that there had been a misspelling of the word "doing" in the last line of the fourth paragraph of Minute 238 New Financial Arrangements.</p> <p><b>RESOLVED</b> that subject to the above two amendments the Minutes of the meeting of the Committee held on 30 November 2007 be confirmed as a correct record and signed by the Chairman.</p>	
251	<b>APOLOGIES FOR ABSENCE</b>	
	<p>Apologies for absence were received from Councillors Dodds and Harvey and Steve Bishop (VOWHDC).</p>	
252	<b>RICHARD DUDDING</b>	
	<p>The Committee noted that Richard Dudding who had been the Lead Officer of Oxfordshire County Council on the Oxfordshire Waste Partnership for a number of years was to leave the employment of the county council at the end of May. It was agreed that a letter be written to Richard Dudding thanking him for his significant contribution to the partnership.</p>	<b>Ian Davies</b>
253	<b>MATTERS ARISING</b>	
	<p>In response to a question from a Member with regard to supermarket packaging Wayne Lewis stated that his had been included for consideration within the OWP Communications Project Plan.</p>	
254	<b>NEW FINANCIAL ARRANGEMENTS</b>	
	<p>The Partnership considered a report on further progress on the development of new financial arrangements which sought agreement on a model to replace the existing Recycling Credit Scheme with effect from 1 April 2009.</p> <p>Members were reminded that at their last meeting they had resolved that the following task be completed:-</p>	

- (1) finalising the unit payment levels for both recycling credit and residual waste target payments so that residual waste reduction was prioritised over increased recycling and composting;
- (2) full checks by each of the Partner Authorities on the financial cost to them;
- (3) re-visiting the tonnage forecast provided by each collection authority to ensure consistency and to assess scope for further progress towards JMWMS targets;
- (4) Model verification by the Oxfordshire Treasurers Association;
- (5) Agreeing any short term transitional arrangements (to be developed by the Treasurers Association), if needed, to phase in the financial impacts resulting from the new arrangements.

The model presented to the OWP meeting on 30 November 2007 was based on the payment of a recycling credit for each tonne recycled and composted, plus an incentive or penalty payment set at 50% of the recycling credit value for each tonne of residual waste below or above target. These payment values were set within the model at £40 per tonne and £20 per tonne respectively for 2009/10.

Different incentive/penalty scenarios have been modelled but the £40/£20 scenario disadvantaged all district councils the least. It resulted in additional payments by the county council in return for district councils surpassing their residual waste reduction targets. However, the additional payment by the county council would be less than the cost of treatment or disposal of the waste which were not diverted and also served to reduce Oxfordshire's LATS liabilities. Both the Oxfordshire Treasurers Association and the Officer Strategy Group agreed that the payment levels should be set at this level in 2009/10.

Since 30 November 2007, updated tonnage forecasts had been provided by Oxford City Council and West Oxfordshire District Council. Both authorities had re-evaluated the way they would collect green waste and food waste for composting (or equivalent treatment). These revised forecasts had seen the overall countywide recycling and composting rate reach 50%, a 2% increase against the previous forecast, but still 5% short of the JMWMS target of 55% by 2020.

The model had been checked for formulaic integrity by the Chairman of the OTA who concluded that the model seemed to be accurate in terms of the inputs compared to the outputs.

The Model that was now presented for agreement by the OWP differed considerably to that set out within annex 4 of the OWP Partnership Agreement. An amendment to annex 4 therefore needed to be developed and agreed by the partnership and to this end; an early revised draft had been prepared which had been circulated to Members. It was recommended that authority be delegated to the OWP Chairman and Coordinator to finalise this agreement based on the draft circulated for approval by each Partner Council. Legal support in drafting this revised annex would be provided by the County Council.

Councillor Fooks felt arrangements to test the model during 2008/9 should

show figures based both on household and per capita basis.

Sally Wilson drew the attention of the Partnership to the fact that the Vale of White Horse and South Oxfordshire District Councils might have to pool targets once the two authorities undertook joint waste collection.

#### **RESOLVED**

- (1) that the Oxfordshire Waste Partnership agrees the new financial arrangements to be implemented by 1 April 2009 which was based on Appendix 1 with payments in 2009/10 of £40 per tonne recycling credit and £20 residual waste incentive/penalty;
- (2) arrangements are put in place to test the model during 2008/09 and that a progress report be made to the partnership after six months showing figures based on both household and per capita basis;
- (3) with the support of the County Council's Legal Services the OWP Chairman and Co-ordinator finalise revisions to Annex 4 of the OWP Partnership Agreement for approval by partner councils;
- (4) Update report be provided to the next meeting of the Leaders Group

**Wayne Lewis**

**Wayne Lewis**

**Wayne Lewis  
County Council's  
Legal Services &  
OWP Chairman**

**Wayne Lewis**

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#### **JOINT MUNICIPAL WASTE MANAGEMENT STRATEGY ACTION PLAN 2008/09 – 2010/11**

The Partnership considered a report on the draft action plan for 2008/09 – 2010/11 in support of the partnership's Joint Municipal Waste Management Strategy (JMWMS).

A draft action plan for 2008/09 – 2010/11 was circulated and considered by members who noted that the three year time frame bought the action plan in line with the partnership's new three year rolling budget. Both the action plan and the budget would continue to be reviewed and agreed annually.

The format of the 2008/09 – 2010/11 action plan was similar to the current plan, except for the following changes:-

- (1) a column had been added for SMART targets, to ensure that the Partnership was better able to measure performance;
- (2) the OWP officer groups had been given responsibility for the actions (except where there was a specific geographical or statutory focus);
- (3) a series of actions to deliver the partnership's Environmental Quality and Cleanliness role had been included.

An accompanying risk register would be developed and maintained by the Officer Strategy Group (OSG) to manage the risks identified within the plan. Updates on key risks could be provided to the OWP in future, as part of the routine action performance reports.

Quarterly progress reports would be prepared by each of the responsible Officer groups for the OSG. The OSG would then provide a quarterly summary progress report to the OWP.

- (1) that in relation to securing ongoing waste recycling centre provision for Oxfordshire Municipal Waste the County Council were looking to redevelop the eight sites within the county. There were no proposals to increase the number of sites within the county and no provision had been made for this within the budget, although the position will be kept under review. The County Council were however investigating the possibility of citing satellite recycling centres on new housing developments;
- (2) that the OWP Co-ordinator would review the targets set of January 2009 in respect of the action to develop a common approach to working on public holidays;
- (3) that the section on environmental quality and cleanliness would be further developed later in the year with more specific actions to make it more robust and
- (4) that the implementation of the agreed OWP Communications Plan would be from April 2008.

**RESOLVED** that the OWP Action Plan 2008/09 to 2010/11 be agreed.

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#### **LOCAL AREA AGREEMENT (LAA2)**

The Committee considered a report on the Local Area Agreement (LAA2) and were reminded that at their meeting on 30 November 2007 five potential targets were agreed to be progressed.

The five draft targets had been assessed by the LAA2 Steering Group and the Public Service Board. At the Public Services Board (PSB) meeting on 5 February 2008, it was agreed that OWP consider reducing the targets by one.

The OWP Officer Strategy Group considered the LAA2 criteria at its meeting on 8 February 2008 from which arrangements were made to complete the specific requirements of each target. It was also agreed as required by the PSB that draft target 5, to reduce the number of incidents of fly-tipping, be dropped in favour of the remaining 4, which were felt to be stronger when assessed against the requirements listed above. In recommending this action, officers were minded to suggest to OWP the relevance of fly tipping be not lost and the actions and resources included in the draft target be given equal priority in the OWP's work programme and budget allocations. In this way, this case could be made to the PSB that the fifth target could still be included for LAA2 purposes if the opportunity permitted.

The proposed LAA2 Targets were therefore as follows:-

Target 1 – Household Waste Reduction. To keep the amount of waste collection per head below 550kg per person for each year up to and including 2010/11;

Target 2 – Recycling. To achieve a 45% recycling and composting rate by March 2011. To include the collection of composting (or equivalent treatment) of 25,000 tonnes of household food waste;

Target 3 – Reduction in the amount of commercial waste landfilled. To

include the identification of a further 5,000 tonnes of waste reduction by local businesses by 2011 and 25% of businesses audited to implement recommendations within 3 months of the audit and

Target 4 – To ensure that the percentage of relevant land and highways that is assessed as having deposits of litter, detritus, graffiti and fly posting that fall below an acceptable standard (below grade B) by March 2011 is 9% or less for litter and detritus, 2% or less for graffiti and 2% or less for flyposting.

The funding requirements for the actions of each target had been assessed as deliverable through a combination of OWP core budget, new initiatives fund, partner core budgets and external funding. It was on this basis that the Officer Strategy Group recommended to the OWP Chairman who subsequently agreed that they be submitted for further Public Service Board consideration on 4 March 2008.

### **RESOLVED**

- (1) that the OWP endorses the submission of Targets 1 – 4 as outlined above and urges the PSB to include Target 5, fly tipping, if the opportunity exists;
- (2) further consideration be given to the inclusion of the actions required to deliver the targets in the 2008/09 Work Programme and that of subsequent years following agreement of the LAA2 programme and targets.
- (3) The OWP 2008/09 Core Budget and New Initiative Fund Criteria be reviewed in the light of the funding required to support the actions to deliver the LAA2 targets if approved by the Public Services Board and GOSE.

**Ian Davies**

**Ian Davies**

**Wayne Lewis**

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### **DRAFT BUDGET 2008/09**

The Committee were reminded that at the last meeting they had agreed a draft budget for 2008/09 and agreed to passport the 2008/09 WPEG funding to the OWP. The draft OWP budget had now been considered by Partner Councils and all had approved the budget.

Since the last meeting confirmation of the WPEG allocations for 2008/09 had been received. The allocations for each authority are set out below:-

Cherwell District Council	£60,705
Oxford City Council	£71,371
Oxfordshire County Council	£390,963
South Oxfordshire District	£58,315
Vale of White Horse District	£52,757
West Oxfordshire District	£44,379
<b>Total</b>	<b>£678,490</b>

**Total** **£678,490**

No further information had been received on payments in respect of future years.

The allocation for 2008/09 was £147,490 higher than estimated within the draft OWP budget previously presented and a revised budget was circulated to Members which reflected the actual WPEG allocations for 2008/09. The WPEG funding was now paid as part of each council's formula grant and was entirely revenue. The additional WPEG income also meant that there was a total budget surplus of £185,190 to be returned to Partner Councils and it was suggested that the surplus should be distributed as follows:-

Cherwell District Council	£10,756
Oxford City Council	£21,422
Oxfordshire County Council	£141,838
South Oxfordshire District Council	£8,366
Vale of White Horse District Council	£2,808
West Oxfordshire District Council	-
<b>Total</b>	<b>£185,190</b>

The Partnership noted that the 10% budget contribution for West Oxfordshire was above its 2008/09 WPEG allocation (by £4,951), whereas each of the other Partner Councils had a surplus after OWP budget contributions were taken. It is proposed that the other Partner Councils fund this shortfall in 2008/09, so that no Partner Councils had to contribute more than their WPEG allocation to the OWP budget.

The Partnership noted that the latest budget still had an updated expenditure profile for the Local Area Agreement targets, but as this was financed by pump-priming funding, there was a net nil effect. All other areas of the budget were as presented on 30 November 2007.

#### **RESOLVED**

- (1) that the final WPEG settlement be noted and
- (2) that the method of redistributing the 2008/09 budget surplus set out above be agreed.

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#### **FOOD WASTE TREATMENT CONTRACT UPDATE**

The Committee considered a report on the progress on the food waste treatment procurement projects and the Committee noted that following evaluation this had reduced the viable number of bidders to take forward to the next stage to 11.

Drafting of the Contract Conditions, Specification and other Schedules, and the Invitation to Tender documentation was finalised in mid February with the invitations dispatched on 19 February 2008.

The deadline for the receipt of completed tenders was 1 April (covering the statutory 40 day period) with a two month evaluation period scheduled. Award of contract was expected to be at the beginning of June and the Service Commencement from 1 April 2009 (unless an earlier date was agreed between the parties).

Although a start date was set, it was recognised that timescales might be regarded as short in the terms of developing a dedicated facility from scratch; some bidders might not have in place a local facility to treat such waste by the Service Commencement Date, and so the contract allowed for interim facilities to be used pending the provision of any intended facility. The solutions on offer would only become clear when the tenders had been assessed.

One area of work shortly to be addressed was the development of agreements between the Waste Collection Authorities and the County Council to cover Waste Collection Authorities commitment to collect and deliver food and garden waste under the contract.

The Partnership noted that the decision whether one or two waste treatment sites were provided would depend on the response from the bidders. It was uncertain at this stage whether transfer facilities would be provided, by contractors, as such facilities were likely to be expensive. The County Council were aware of the concerns of the collection authorities and would take all matters into account when choosing a contractor.

C Cousins stated that if the contract facility did not operate from 1 April 2009 as anticipated, this would be the responsibility of the contractors and any additional costs as a result of not meeting the deadline would be borne by the contractor.

**RESOLVED** that the progress on the Food Waste Treatment Procurement Project be noted and supported.

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## **WASTE COLLECTION JOINT PROCUREMENT PROJECT**

The Committee received a progress report on the Joint Procurement Project and noted that West Oxfordshire, South Oxfordshire and the Vale of White Horse District Councils were unable to agree key elements of the procurement and therefore the decision was taken for South Oxfordshire and Vale of White Horse District Councils only to proceed alone.

The deadline for receipt of expressions of interest was 29 February and for receipt of Pre-Qualification Questionnaires 10 March. These would be assessed and ranked and companies successful at this stage would be invited to participate in the next stage – submission of outline proposals. It was anticipated that the contract would be awarded in November or December 2008.

A joint service partnership had been set up between South Oxfordshire District Council, the Vale of White Horse District Council represented by three Councillors from each local authority.

**RESOLVED** that the progress on the Joint Procurement Project be noted.

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### **WASTE TREATMENT PROJECT UPDATE**

The Committee considered a Progress Report on the Waste Treatment project and noted that an evaluation had been undertaken by the Project Team which was agreed by Waste Treatment Board and discussed by the full Oxfordshire County Council. Following this the cabinet of Oxfordshire Council had on 15 January 2008 considered a report on the evaluation of the outline solutions and agreed the selection of participants for the next stage of the procurement invitation to submit detailed solutions and it was agreed that the following participants be invited to submit detailed solutions:-

- Viridor Waste Management Ltd, with a solution based at Ardley landfill site and
- Waste Recycling Group Ltd, with a solution based at Sutton Courtenay landfill site.

The Project Board was confident that this selection would enable a strong clear competition to be developed between the participants and would give the best opportunity for the remainder of the procurement process to be productive and efficient and the Committee noted the remainder of the process which would enable detailed solutions to be submitted by the end of July and for a contract to be awarded in Spring 2009.

Planning permission and Environment Agency permits would be required before any facility could be built. The county council as waste planning authority would determine the planning application unless it was called in by the Secretary of State. Determination would be independent from the procurement process. Planning decisions were made on planning grounds and were guided by local, regional and national planning policy and other material planning considerations. There would be public consultation, including local councils and any planning application and briefings would be held with district councils.

**RESOLVED** that the Partnership note and support the progress made on the procurement of residential waste treatment.

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### **CHAIRMANSHIP AND DATES OF FUTURE MEETINGS**

The Chairman reminded the Committee that the Partnership Agreement sets out that “the role of the Host Authority would rotate automatically in alphabetical order between the Partner Authorities every two years from the date of the relevant Annual General Meeting”. This meant that the role would move from Cherwell District Council to Oxford City Council in May 2008, so that the next meeting of the OWP would be the first to be hosted and chaired by the City Council.

The chairmanship of the Officer Strategy Group also rotated in alphabetical order every two years, so that it mirrored the OWP arrangements. Therefore, Oxford City also assumed the chairmanship of the Officer Strategy Group.

The Committee also noted that the role of Auditing Authority rotated alphabetically every two years, but as the first Auditing Authority (Vale of

White Horse District Council) was appointed in 2007, it had a further year of its term to run.

Two further roles set out within the Partnership Agreement, those of Accounting Authority and Employing Authority, were fixed and would remain with Oxfordshire County Council and Cherwell District Council respectively.

OWP meeting dates for 2008/09 were set some time ago and the Committee were reminded that these were as follows:-

30 May 2008  
29 Aug 2008  
28 Nov 2008  
27 Feb 2009  
22 May 2009

The venues for the meetings would be at The Town Hall, Oxford.

**RESOLVED**

- (1) that the handover of the role as host authority to Oxford City with effect from 1 May 2008 and the meeting dates for 2008/09 be noted and
- (2) that the current Chairman Councillor Mallon be thanked for the excellent way he had chaired the meeting over the past two years.

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**END OF MEETING**

The meeting ended at 11.05 am.