

**MINUTES OF THE MEETING OF THE OVERVIEW & SCRUTINY COMMITTEE
HELD ON TUESDAY, 23 OCTOBER 2018**

COUNCILLORS: Derek Levy (Chair), Gina Needs (Vice-Chair), Huseyin Akpinar, Susan Erbil, Lee David-Sanders, Edward Smith, Hass Yusuf.

STATUTORY CO-OPTES: 1 *vacancy (Church of England diocese representative)*, Mr Simon Goulden (*other faiths/denominations representative*), Mr Tony Murphy (*Catholic diocese representative*), Alicia Meniru & 1 *vacancy (Parent Governor representative)* – *Italics Denotes absence*

OFFICERS: Doug Wilkinson (Director of Environment & Operational Services), Jon Sharkey (Head of Waste, Recycling, Fleet), Debbie Campbell (Waste Services), Andy Ellis (Scrutiny Officer), Elaine Huckell (Scrutiny Secretary).

Also Attending: Councillor Guney Dogan (Cabinet Member for Environment), Councillor Joanne Laban (Leader of the Opposition) and five members of the public.

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WELCOME & APOLOGIES

Councillor Levy welcomed all attendees to the meeting. It was noted that Councillor Hass Yusuf was substituting for Councillor Tolga Aramaz. Apologies for absence had been received from Co-optee -Simon Goulden.

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DECLARATIONS OF INTEREST

Councillor Erbil declared a non- pecuniary interest –as Councillor Dogan was a family member. There were no other declarations of interest.

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CALL-IN OF REPORT: APPROVAL TO UNDERTAKE A PUBLIC CONSULTATION FOR POTENTIAL CHANGES TO THE WASTE AND RECYCLING COLLECTION SERVICES

The Committee received a report from the Director of Law and Governance outlining details of a call-in received on the portfolio decision by the Cabinet Member for Environment taken on – ‘Approval to undertake a public consultation for potential changes to the waste and recycling collection services.’

The Chair invited Councillor Laban to outline the reasons for call-in. He reminded everyone that discussion at this meeting would be about the report only.

Councillor Laban said the waste and recycling collection service is one that affects every resident in the borough, she thanked officers for the responses she had already received.

She outlined the reasons for call-in and highlighted the following:

- Although officers had stated that ‘for any of the proposed options no charge would apply for any bin exchange’. Cllr Laban asked that residents should be aware in the consultation that should the option to move to fortnightly collections be favoured, then there would be no additional costs for them to be provided with a larger bin.
- Officers had acknowledged that should option 7 be implemented there would be a sum of £300k set aside from savings to support delivery of any changes proposed. This would be through education, communications, engagement and enforcement. Councillor Laban asked if any money had been allocated for dealing with fly-tipping issues that she felt would result from fortnightly rather than weekly collections.
- Officers had stated that if, the majority of consultation responses favour the status quo then the outcome of the consultation would be taken into account as part of the final decision around which option to implement. Councillor Laban spoke of the Mayor’s London Environment Strategy which refers to the delivery of a weekly food kerbside collection. It would mean that four of the seven options put forward for residents to consider would not comply with the Mayor’s Strategy and could not be implemented.
- If the preferred option resulted in the need for additional charges for example regarding the provision of a green bin, Councillor Laban asked how we were going to help residents on low incomes with this.
- That it would have been useful for members to have been aware of what questions were going to be asked of residents in the consultation.
- Why the consultation period is to be undertaken over the Christmas period as people would tend to be busy during this time.
- It has been stated that the primary driver for changes to the waste and recycling services is to make savings however Option 1 which would maintain the status quo would result in increased costs and therefore it was questioned whether this option should be included in the questionnaire.
- The report highlights there would be public health implications with not collecting waste and therefore waste should be collected. It also says that consideration to the way waste is collected should be given. It is essential that these are monitored to ensure Enfield is a clean borough.
- If we follow the Mayor of London’s Environment Strategy regarding the delivery of a weekly food kerbside collection, then four of the eight options put forward in the consultation would not deliver this requirement.
- Barnet Council had challenged the Mayor of London on his power of direction over food waste, Councillor Laban questioned why LB Enfield

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had not also done this. If Enfield follows this, eventually it may lead to higher costs and other factors that would make the findings of the consultation out of date.

The Chair invited Councillor Dogan as Cabinet Member for Environment and Doug Wilkinson, Director of Environment & Operational Services, to respond to the points raised.

Councillor Dogan praised officers for their work so far.

The following responses were given:

- The status quo was included in the consultation following expert legal advice. If the status quo was retained savings would need to be found elsewhere from the council.
- Although four out of the eight options put forward would not be compliant with the Mayor of London's Environment Strategy, they would still be operationally viable in the short-term. Ultimately, this will be a Cabinet decision and it would be wrong for the public not to be aware of all options.
- In terms of whether larger bins would be provided free of charge - at present our policy is that requests for a larger bin can be made, and this would be considered on merit. With any of the proposed options our policy would stay the same and no charge would apply for any bin exchange.
- A lot of work has been done on whether there is a correlation between waste service changes and fly-tipping. There is a perception but no statistical correlation that there is an increase in fly-tipping resulting from changes in waste service collections. However, it is acknowledged that Enfield has challenges with fly tipping currently.
- In terms of whether all options including do nothing would be taken equally and whether there would be any 'paybacks' for example for residents with low incomes. - These decisions cannot yet be made until after the consultation. The Chair queried whether the public are able to give a fully informed decision if they do not know whether there would be any 'paybacks' for example free provision of bigger bins. Feedback from residents would help to inform the decisions to be made and what support mechanisms may be required to help implementation of any proposed changes.
- If the consultation was to take place over a four- week period, then it may be considered inappropriate for it to take place over Christmas. However, as the consultation would last ten weeks then it is reasonable that it should take place then. Some may believe that whilst residents are at home during the holiday period they may have more time to consider the consultation.
- Doug Wilkinson referred to the Mayor of London's Environment Strategy and Cllr Laban's comment that should we need to follow this strategy regarding the collection of food waste then we would have consulted on an option that we cannot deliver on. He answered that decisions can only be made at the time. This was an ever changing

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situation which we needed to be able to adapt to. It was confirmed that we were working with the GLA.

Other issues were raised by members:

- It was questioned why there were eight options, it was thought the number could have been reduced to five. Debbie Campbell stated that modelling work had been done to determine that there were 7 options plus the 'no change' option.
- It was suggested that the questions put forward in the consultation could reflect the points raised at this meeting. It was confirmed that these points are helpful and would be considered as part of the final consultation format and content.
- Councillor Smith thought the report was misleading as it refers to a sum of £18m of savings that LB Enfield are to make for 2019/20. He said this was for the whole of the authority and not just the Environment department. The actual reason for the need for savings is the increasing cost pressures on the service for example the increased cost for dry recyclables, the increased charges for weekly food collection that may arise and possible increased costs from the North London Waste Authority (NLWA). He also asked how true were the increased costs. It was suggested that the report should have given greater detail of these cost pressures.
Doug Wilkinson confirmed that the report included details around the increased costs and that the service was experiencing some of these costs increases already. He referred to changes in routes (China) that have led to increased prices – At the moment approximately 37% of rubbish in grey bins is food waste, which costs around £90 a tonne. If food waste was taken out of grey bins and put into food bins this would cost much less at around £40 a tonne.
- Councillor Levy stressed the importance of communications with residents to ensure they are fully informed as to the implications of the changes and to help to reduce the 'contamination' of bins.
- Councillor Smith said he understands only 25% of households are using 'brown bins'. Doug Wilkinson agreed that good communications was key for engaging with residents and implementing changes.
- Councillor Needs asked if the consultation would include a section for residents to put forward their own suggestions. It was confirmed that this would be included.
- It was thought that members of the public may have concerns regarding public health if bins are collected on a less regular basis, Councillor Levy suggested that the questionnaire needs to acknowledge public health concerns. Doug Wilkinson stated options that included weekly food waste collections help reduce the perceived concerns in this area. The public health implications are linked to waste not being collected not frequency.
- Councillor Yusuf thought the numerous options put forward may be confusing for the public and asked if it may be possible for a more simplified version to be given. Doug Wilkinson explained that the very

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nature of having a number of options to consult on will be complex but we have tried to simplify as much as possible with the use of images.

- As we are moving towards more pre-decision scrutiny it was thought this subject may have benefitted from using the pre-decision approach.
- It was asked how the public would be informed about the consultation process and whether we had considered those people who do not use 'on line' facilities. An answer was given that there would be posters advertising the consultation and that discussions had been held with the communications team to ensure we engage with as many people as possible. We would be monitoring replies week on week, there would be advertising and proactive marketing such as specific engagement events if required. The translation service would be used to involve all resident groups. Hard copies would be available in libraries and other buildings.
- Councillor Smith suggested that we may wish to challenge the Mayor of London's Environment Strategy re food recycling collection, as other local authorities have done. He also reminded the meeting of residents living in social housing, a large proportion of those living in flats may not have the same recycling facilities available. Doug Wilkinson said there were no plans to challenge the Mayor's directive at present. He said we would be analysing data on a weekly basis. Doug Wilkinson also said that the changes did not apply to flats with communal bins and flats above shops which are on bag collections. It only applies to properties with wheeled bins and will state this within the consultation information.
- Councillor Levy suggested that it would have been useful to see the modelling behind the data being used and the savings projected, he referred to risks where take up figures have been assumed. It was answered that we were aiming to mitigate any risks and said for example that if a charge is implemented for green garden waste then we would be actively marketing the service on a commercial basis. More details could be provided in the final report that sets out a preferred option.

Members of the public were asked for any comments/ questions they wished to make

- Reference was made to the need for extra green bins in Enfield's parks.
- That we should be aware that many people may struggle to pay £65 for a green bin collection and it was suggested that this be means tested.

Councillor Joanne Laban was asked for her comments and she said that if the Mayor of London's Environment Strategy directive be followed, the findings from this consultation would be out of date. She wondered if a further consultation exercise would then need to be undertaken. She recommended that the decision be referred back to the Cabinet Member for Environment.

Doug Wilkinson did not think we should delay the consultation process, he agreed that there were risks with options, but assessments would be made

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following feedback from the consultation when putting forward the preferred option.

AGREED: Overview & Scrutiny Committee considered the reasons for the call-in and responses provided. Having considered the information provided the Committee voted in favour of referring the matter back to the Cabinet Member for Environment.

The reasons for referring the matter back to the Cabinet Member were as follows: -

Overview and Scrutiny Committee suggested that consideration should be given to modify the structure, balance, and rationale of the original report to form a basis for the consultation document. In addition: -

- Ensure that the options available are clearly defined, fully transparent and unambiguous
- They should fully reflect the stated criteria by which the post-consultation options analysis will be measured
- Essentially, the document should reflect pros and cons (from a user, not service provider, point of view) and find the balance that avoids undue complexity, but also gives residents sufficient information to help them make a fully informed choice
- Incorporate simple reference points where necessary to assist in above, for example, bin sizes
- The tone of language, but also the actual language used in the consultation document must be inviting, user friendly, and outward looking not inward focused
- Clarity, ensuring confirmation that the consultation is all to do with communication about potential changes to operational services but it isn't a document about service delivery.
- Review the options that although operationally deliverable, may be difficult to implement.
- Greater emphasis should be placed on the offer to provide larger bins at no charge, should residents require them.
- A comment box should be available for residents to suggest alternative proposals, along with the 8 options.

Councillors Akpinar and Susan Erbil voted in favour of the Cabinet Member decision. Councillors David-Sanders, Smith and Yusuf voted in favour of referring the decision back to the Cabinet Member for further consideration. Cllr Needs abstained. Cllr Levy using the Chair's casting vote, voted in favour of referring the decision back to the Cabinet Member.

The original Portfolio decision was therefore referred back to the Cabinet Member for reconsideration.

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MINUTES OF MEETING HELD ON 27 SEPTEMBER 2018

AGREED the minutes of the meeting held on 27 September 2018.

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DATES OF FUTURE MEETINGS

Noted the dates as follows:

Provisional Call-Ins:

Thursday 6 December, 2018

Thursday 20 December, 2018

Tuesday 15 January 2019

Thursday 7 February 2019

Tuesday 12 March 2019

Tuesday 26 March, 2019

Thursday 11 April, 2019

The business meetings of the Overview & Scrutiny Committee:

Wednesday 7 November, 2018

Tuesday 12 February, 2019

Wednesday 3 April, 2019

The Overview & Scrutiny Budget Meeting: Thursday 31 January 2019

Councillor Levy thanked everyone for attending the meeting.