

**MINUTES OF THE MEETING OF THE OVERVIEW & SCRUTINY COMMITTEE
HELD ON MONDAY, 11 MARCH 2019**

COUNCILLORS

PRESENT Derek Levy (Chair), Tolga Aramaz, Susan Erbil, Chris Bond, Hass Yusef, Lee David-Sanders and Edward Smith

ABSENT Huseyin Akpinar and Gina Needs

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: Jeremy Chambers, (Director of Law & Governance)
Doug Wilkinson, (Director of Environment & Operational Services)
Jon Sharkey, (Head of Service, Waste, Recycling & Fleet)
Debbie Campbell, (Waste Services)
Andy Ellis, (Governance & Scrutiny Officer)
Stacey Gilmour, (Governance & Scrutiny Secretary)

Also Attending: Councillor Nesil Caliskan (Leader of the Council)
Councillor Guney Dogan (Cabinet Member for Environment)
Councillor Joanne Laban (Leader of the Opposition & Call-In Lead)
Councillor Daniel Anderson (Deputy Leader, Observing)
2 Members of the public

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WELCOME & APOLOGIES

Councillor Levy welcomed all attendees to the meeting. The following substitutes were noted:

Councillor Chris Bond for Councillor Gina Needs
Councillor Hass Yusef for Councillor Huseyin Akpinar

Councillor Levy reminded everyone that discussion would be about the specific reasons for call-in given in the papers and responses to them.

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DECLARATIONS OF INTEREST

Councillor Susan Erbil declared a non-pecuniary interest for discussion of agenda item 3: 'Call-In - Potential Changes to Waste and Recycling

Collections' as she is related to Councillor Guney Dogan, Cabinet Member, Environment.

Jeremy Chambers, Director of Law & Governance advised that as the decision was that of the full Cabinet and not the individual Cabinet Member a declaration of interest was not therefore required. It was however a personal choice of the Member should they still wish to declare an interest.

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CALL IN OF DECISION: POTENTIAL CHANGES TO WASTE AND RECYCLING COLLECTIONS

The Committee received the information provided on the call-in report: Potential Changes to Waste and Recycling Collections.

NOTED

1. The information was considered in conjunction with the report on the part 2 agenda.
2. Councillor Laban set out the reasons for calling in the decision:
 - conflicting statements at 3.13 and 3.30 of the part 1 report.
 - What are the additional recycling and enforcement resources detailed in Table 9 of the part 1 report?
 - The report fails to talk about missed collections because as it stands you need to report them within one working day. If you are away or cannot get through to the call centre etc, are you expected to wait another two weeks before collection? There is no mention of giving a slightly longer time period for people to get in contact.
 - 3.59 - £1.06 million for dedicated mobilisation team – the report does not set out whether new vehicles are needed for weekly food waste collection.
 - 6.1.6 - vehicle and staffing costs are calculated from the reduced number of vehicles rounds but how is weekly food waste fitting into this?
 - 6.1.16-talks about reducing existing agency staff. It does not go into detail on the number of agency staff that will leave.
 - The result of the consultation was that 66% of respondents wanted to keep the current service yet the option taken forward was the least supported out of them all.
 - The decision does not state how much Eunomia was paid for its works on this decision.
 - Redbridge Council moved to a paid for garden waste collection service and had to reverse its decision. Eunomia states that it has high confident levels for the take up of this, but this was not the case in Redbridge, and it is a very similar borough to Enfield. Why was there not any information on this and how will we not have the same problems?

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- Why did the Cabinet Member put three options that did not comply with the Mayor's Environment Strategy on the table as part of the consultation?

The Chair reminded the committee that the decision was not just passed on the report but was also based on a robust 70-minute debate that took place at the Cabinet meeting

3. The response of Councillor Dogan, Cabinet Member Environment. He highlighted the following:

- Paragraph 3.30 states the primary driver of the evaluation is the financial savings that can be achieved. This paragraph clearly states that the evaluation also takes into account conformity with the Mayor's Environment Strategy, and the responses to the Consultation. Paragraph 3.13 states that the Consultation sought residents' views on the seven proposals and retaining the current collective system. The feedback from the Consultation has been conscientiously considered to help inform the recommendation for change and is demonstrated in the report at paragraph 3.45 which sets out 'you said, we will' and covers four pages of the report (pages 13-16). This means paragraph 3.13 supports paragraph 3.30 rather than be at odds.
- A comprehensive response was provided on the information included in Table 9 of the part 1 report (see agenda pack for the full response).
- Missed collections are addressed in Table 9. It states that LBE's policy is that any bin not collected due to the collection crew will be collected within one working day. It is proposed that the current policy remains.
- New food waste vehicles are accounted within the savings modelling.
- New food waste vehicles are accounted within the savings modelling and have been taken into account. The overall number of vehicles has a net reduction of six HGV's.
- The number of agency workers we currently use will reduce by 19. We will be creating 4 permanent posts of 2 recycling officers and 2 enforcement officers plus up to the equivalent of 19 street sweeping posts resulting in up to 23 new jobs being created within Environmental Services.
- The report explains that LBE has been clear from the start of this process what the criteria for evaluating the proposals would be and that this information was also published in the consultation documents to ensure transparency and fairness. These were primarily financial savings, and then conformity with the London Mayor's Environment Strategy and to consider the responses of the consultation.
- Financial savings for Proposal 7 were significantly higher when compared to any other proposal or the current collection system and would make a considerable single contribution to the budget gap. It conforms with the Mayor's Environment Strategy by providing separate food waste collections and has a projected step change in recycling to 49%. The report recognises that the proposal was the least preferred amongst the respondents to the consultation at 9%. With the exception of retaining the current system there was no clear majority for any of

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the other proposals. However, the current service would, in fact, require an increase in costs to retain the services which Members took into consideration.

- The total on consultants in the review of the bin collection service is £66,419.53 excluding VAT.
 - Redbridge moved to a charged garden service using biodegradable sacks. These sacks were not suitable to contain garden waste. The service and financial modelling have been produced by Eunomia Research & Consulting Ltd using proven sophisticated software specifically designed for the waste and recycling industry. Eunomia have worked with over 170 local authorities nationally to help the make savings and redesign services. They have worked with LBE for several years, consequently they have detailed knowledge of the service, its key cost drivers and the factors that influence those drivers.
 - The Mayor does have power to direct that the strategies are in conformity to the Environment Strategy but no legal powers of enforcement and accordingly it was felt that options not in conformity with the strategy could be put to the public for their consideration.
4. The response of Councillor Caliskan, Leader of the Council. She highlighted the following.
- This decision has been made in context of the budget. This year alone LBE have been forced to find £80m of savings with many areas being identified for cuts. The financial context and implications of the proposals were explained within the Council's overall budget pressures and funding constraints, summarised in section 3 of the report.
 - The Council currently spent approximately £15.1m on collecting, treating and disposing and waste and recycling across the Borough. Waste disposal costs were likely to significantly increase. Additionally, the former Government grant of £2.4m to retain weekly collections for waste and recycling has now ceased which has led to the waste collection change.
 - One of the primary drivers to implement the changes was financial as LBE are obliged to set a legal and balanced budget. However. the consultation was developed and delivered with real commitment and drive and we have done everything possible to prepare residents for this change.
 - This was a difficult time for local government, and it was essential to ensure that the Council's decision-making was responsible and financially resilient in going forward; and, protected the most vulnerable residents who depended on the Council's service provision.
 - Apologies would not be given for this administration saving millions of pounds and creating permanent jobs. Political choices have been made to put people first by protecting services such as Adult Social Care, Education and Children's services.
 - Any decision taken is done so with the least amount of risk and this was one of the most comprehensive reports she has seen since being elected.

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- Table 9 of the report refers to £500k growth investment into street cleansing and fly tipping service, these are examples of how we can invest in improving the borough in areas that we already know have challenges.
5. Other issues highlighted by officers in support of the decision included:
- The consultation documents were absolutely clear from the outset in stating the criteria for developing the recommended proposal, financial savings achievable, conformity with the Environment Strategy and to consider the responses received from the consultation. The savings that the Council was required to find in 2019/20 were highlighted and, the impact on other services if savings within waste services were not realised.
 - Whilst a number of options were non-compliant with the Mayor's Strategy, they were still 'technically' financially and operationally deliverable as set out in the background documents, so the decision had been taken to include them.
 - Jeremy Chambers, Director of Law & Governance confirmed that as the Monitoring Officer there was nothing in the Consultation Document that caused him concern and he gave his absolute assurance that it was a very well-balanced document that he was completely comfortable and happy with.
 - It was emphasised that feedback from residents through the consultation process had been fully considered and four pages of the report had been dedicated to responses from residents and responded to.
 - Although there may be a perception that full consideration was not given to the comments and views raised by the Overview & Scrutiny Committee at the original Call-In meeting, Officers were comfortable that they had listened to and captured the wider debate that had taken place and further in-depth conversations were held from the time of leaving the OSC meeting to Cabinet making the decision.
6. Members' questions responded to by officers, including:
- The investment of £500k per year into Street Cleansing Services was noted and clarification was sought on what this would result in.

In response the proposed use of the funding was outlined, as detailed in the report, an example being an additional 19 street sweepers. Resources would be targeted where necessary. This was an opportunity to invest in street cleansing. Structured plans would be put in place through the ongoing operational monitoring of the service.

- Reference was made to the proposal to charge £65 per annum for the collection of garden waste and concerns were raised that the intention was to implement this cost in November 2019, which could prove a huge burden to many families just before Christmas. Would there be an option for residents to spread this cost over several months?

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The detailed proposals relating to the £65 per annum charge were outlined, as set out in the full report, including the options that would be available to residents. This would be an opt-in service for residents. The effectiveness and implementation of this part of the service provision would be closely monitored and regularly reviewed. The suggestion of the spreading the annual charge of £65.00 was noted.

- Public Health assurances were sought, and concerns expressed by residents recognised. The addition of 2 recycling officers was welcomed. The need to encourage and include positive sustainable issues within the context of waste services noted, including awareness raising on how to minimise waste. Assurance were given that appropriate support would be provided to residents to encourage compliance and address any difficulties being experienced by individuals. The need for effective communication with residents was highlighted.
- The proposed investment in street cleansing and the appointment of additional recycling officers was reiterated. The new service was projected to increase recycling rates to 49%, as explained in detail in the report.
- Assurances were given that recruitment to posts would be in-house and Council HR policy meant that agency staff could also apply for these jobs. It was also confirmed that after twelve weeks of using agency staff there is no introductory fee if they are recruited to permanent posts
- In view of the very recent Government Consultation on the UK's Waste System, would it not be advisable to delay this decision until the outcome of the consultation is known, especially as there may be future grants available to Local Authorities from Central Government for increased frequency of waste collections?

In response Officers said that it was all about 'what ifs' as Central Government were currently consulting on many issues and some of the proposals would require legislation changes. We must understand where we are in time and we are making a decision based on our current financial situation. However, all Local Authorities will be responding to the consultation and the strong view is that if central Government do make any changes detrimental to Local Authorities, we will be looking for compensation.

7. The summing up by Councillor Laban that:

- In view of the recent Government Consultation on the UK's Waste Systems are we doing something too early? Will there be double disruption if the Government proceed?
- It is incorrect for the Cabinet Member, Environment to say that there was no indication from the results of the consultation as to what the public wanted. 66% is a clear indication as to what options residents favoured. As elected Members we are supposed to represent the

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people and deliver for them. It is residents' tax that we are using to deliver services and their views have not been taken on board.

- It was known that the Government grant of £2.4m was coming to an end so better planning should have taken place to account for this. This decision is about people as public health is very important and we already have a massive problem in the borough with fly-tipping and the concern is that with the proposed changes to waste collections in the borough, fly-tipping will continue to increase.
8. Overview and Scrutiny Committee considered the reasons provided for the call-in and responses provided. Having considered the information provided, the Committee **AGREED** to confirm the original Cabinet decision.

Councillors Bond, Susan Erbil, and Levy voted in favour of the above decision. Councillors Yusef, Smith and David-Sanders voted to refer the decision back to the decision-making body. Councillor Aramaz abstained. The Chair, Councillor Levy chose to use his casting vote to uphold the decision.

The original Cabinet decision was therefore agreed.

9. The comment of Councillor Tolga Aramaz that he would like to see the results of the Government Consultation on the UK's Waste System and Michael Gove's recommendations in a future report to OSC.

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MINUTES OF THE MEETING HELD ON 12 FEBRUARY 2019

AGREED the minutes of the meeting held on the 12th February 2019.

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DATES OF FUTURE MEETINGS

NOTED the dates of future meetings as follows:

Provisional Call-Ins

- Thursday 11 April 2019

Please note, the business meeting of the Overview & Scrutiny Committee will be held on:

- Wednesday 3 April 2019