



## **ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE**

### **MINUTES OF THE MEETING HELD VIA MICROSOFT TEAMS ON TUESDAY, 23RD MARCH 2021 AT 5.30 P.M.**

#### **PRESENT:**

Councillor D.T. Davies - Chair  
Councillor A. Hussey - Vice Chair

#### **Councillors:**

M.A. Adams, A. Collis, C. Elsbury, M. Evans, A. Gair, J. Gale, S. Kent, Mrs A. Leonard, D.W.R. Preece, J.E. Roberts, A. Whitcombe, T.J. Williams

#### **Cabinet Members:**

N. George (Cabinet Member for Waste and Public Protection), L. Phipps (Cabinet Member for Housing and Property), J. Ridgewell (Cabinet Member for Environment and Infrastructure), R. Whiting (Cabinet Member for Learning and Achievement)

#### **Together with:**

M.S. Williams (Interim Corporate Director – Communities), R. Hartshorn (Head of Public Protection, Community & Leisure Services), M. Lloyd (Head of Infrastructure), I. Raymond (Business Improvement Officer), C. Forbes-Thompson (Scrutiny Manager), R. Barrett (Committee Services Officer)

### **RECORDING AND VOTING ARRANGEMENTS**

The Chair reminded those present that the meeting was being filmed and would be available following the meeting via the Council's website – [Click Here to View](#). Members were advised that voting on decisions would take place via Microsoft Forms.

#### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors B. Owen and J. Scriven, together with Cabinet Member S. Morgan (Economy and Enterprise).

#### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest received at the commencement or during the course of the meeting.

### **3. MINUTES – 9TH FEBRUARY 2021**

It was moved and seconded that the minutes of the meeting held on 9th February 2021 be approved as a correct record and by way of Microsoft Forms (and in noting there were 13 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that the minutes of the Environment and Sustainability Scrutiny Committee held on 9th February 2021 (minute nos. 1 – 8) be approved as a correct record.

### **4. CALL-IN PROCEDURE**

There had been no matters referred to the Scrutiny Committee in accordance with the call-in procedure.

### **5. ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE FORWARD WORK PROGRAMME**

Cath Forbes-Thompson (Scrutiny Manager) presented the report, which outlined details of the Environment and Sustainability Scrutiny Committee Forward Work Programme (FWP) for the period March 2021 to March 2022.

Members noted the details of the reports scheduled for forthcoming meetings and it was moved and seconded that the report recommendation be approved. By way of Microsoft Forms (and in noting there were 12 for, 0 against and 0 abstentions) this was unanimously agreed.

RESOLVED that the Forward Work Programme as appended to the meeting papers be published on the Council's website.

### **6. CABINET REPORTS**

It was confirmed that there had been no requests for the Cabinet report listed on the agenda to be brought forward for discussion at the meeting.

### **REPORTS OF OFFICERS**

Consideration was given to the following reports.

### **7. DIRECTORATE PERFORMANCE ASSESSMENT SIX MONTH UPDATE 2020**

Mark S. Williams (Interim Corporate Director of Communities) presented the report, which outlined the Communities Directorate Performance Assessment (DPA) which is part of the Council's new Performance Framework. The DPA provides information and analysis for the 6-month period April – September 2020 and was attached at Appendix 1. The DPA (attached at Appendix 1) forms part of the overall Council 'self-assessment' activity, and the Scrutiny Committee were invited to discuss, challenge and scrutinise the information in the DPA.

Members were reminded that the DPA forms part of the approach to the Council's new Performance Management Framework, and was piloted by the Environment and

Sustainability Scrutiny Committee in 2019 and endorsed by Cabinet in February 2020. The new Performance Framework has been developed to meet several strategic and operational needs as well as to align with emerging legislation and align with the aims of the Council's ambitious Transformation Programme (Team Caerphilly).

Members were asked to note that the DPA covered the period April 2020-September 2020 and Mr Williams highlighted the many challenges faced by the Communities Directorate during that time. Members were reminded that the Council were already dealing with the aftermath of the damage caused by Storms Ciara and Dennis in February, and then had to contend with the fresh challenges and demands placed on the Council as a result of the Covid-19 pandemic.

Mr Williams paid tribute to the impeccable work of Communities staff during the pandemic, together with their willingness to step up in other roles to ensure that service delivery was maintained, and asked that his thanks to staff be placed on record. Members were asked to note that although some services had been closed due to Covid-19 restrictions (such as leisure centres and HWRCs), the Authority continued to operate every service that they were legally permitted to do so. Mr Williams also thanked Members for their support, together with colleagues in Corporate Finance for steering them through the financial elements associated with the pandemic. Despite these challenges, it was highlighted that the DPA still gives a comparatively positive picture of performance for the period April-September 2020 due to the efforts of everyone involved.

The Scrutiny Committee discussed the report and Officers responded to Members' queries. A Member referred to the completion of the LED part night lighting programme and asked if there had been any subsequent issues regarding public safety. Officers confirmed that two enquiries had been received in this regard and gave assurances that the statistics are monitored and that regular meetings are held with Gwent Police to review any concerns. The implementation programme has now been completed and the measures will be reviewed after a minimum of 12 months. Clarification was received on the negotiations with Rhondda Cynon Taf Council regarding dry recycling, and Officers confirmed that this had slowed down during the pandemic but trials have now resumed and they will report back on the best way forward.

The Scrutiny Committee discussed the proposals for a booking system at Civic Amenity (CA) Sites and raised concerns around the limitations of a recent online survey that had been carried out in respect of these proposals. Officers gave a verbal update regarding future consultation opportunities, including face-to-face dialogue with residents when restrictions lift, and stated all feedback and concerns would be taken into account and any proposals and recommendations would be brought back to the Scrutiny Committee for consideration. Some Members also expressed concerns over the queues at CA sites and Officers explained that this partly is due to the revised arrangements in place arising from Covid-19 restrictions (e.g. a two-car maximum on CA ramps) plus sites being generally busier at weekends, and that the majority of other local authorities had successfully implemented a booking system which have eradicated the queuing problem. One Member also suggested that a booking system might lead to an increase in fly-tipping if the resident missed their slot but only had that time available to dispose of their waste.

Reference was made to the overflowing of highway bin waste and dog waste bins. Although this was not specifically highlighted in the DPA, Officers gave a verbal update on these issues, explaining that the bins are emptied on a rota basis but have been impacted by Covid constraints, alternative use of staff, staff sickness and service delivery interruptions. It was also explained that dog waste bins are particularly subject to misuse, because residents are placing waste bags on top of the bins instead of touching the lid to open the bin because they are concerned about Covid transmission. This gives the impression that these bins are overflowing when this is in fact not the case. The Council

have recently carried out a social media campaign to raise public awareness of this problem and are continuing to look at alternative solutions to tackle the issue.

Following consideration of the report, and having discussed, challenged and scrutinised the information in the Directorate Performance Assessment, the Committee noted its contents.

## **8. REVIEW OF CONTRACT MANAGEMENT ARRANGEMENTS IN WASTE SERVICES**

The Cabinet Member for Waste and Public Protection presented the report, which outlined a proposal for strengthening contract management arrangements within Waste Services. The report set out details of the range of high value contracts that are managed within Waste Services and provided details of a proposal to strengthen current contract management arrangements. The proposed approach will ensure that all contracts are maximised in terms of service delivery, regulatory requirements, and that the wider social value benefits are realised. At the end of the proposed two-year contract management review period, an analysis of the effectiveness of the service model will be undertaken to determine if this approach to contract management can be applied more generally to other service areas across the Council. The report also included a proposal to fund the estimated cost of circa £410k to undertake the contract management review. The Scrutiny Committee were asked to consider the content of the report and the funding proposal prior to its consideration by Cabinet on 7th April 2021.

Officers further explained that the proposal focuses on changes to procurement regulations within Wales, with a need for training across a number of areas with regards to contract management going forward and the staff will be utilised over a wider range of areas during the two year fixed-term, although the initial focus will be on Waste Services.

During the course of the ensuing debate, Members commented on the process to procure a “critical friend” to review the processes alongside good practice and were advised that local government has long-established peer review arrangements and would look to the WLGA database in the first instance to identify suitable individuals.

The Scrutiny Committee highlighted the high-value waste recycling contracts let for 15 years and sought assurance and clarity on how value for money, competitiveness and fairness are ensured, and also referred to a drop off in recycling performance in 2019/20. Officers gave assurances that contracts are subject to an open and transparent procurement process, and the reason for the length of some contracts is due to the investment required by providers to develop their facilities and recoup that investment. It was confirmed that performance indicators are built into the contracts that have to be achieved. Officers explained that the drop off in performance in 19/20 related to one specific waste stream where the recycling was sub-contracted out but contractual terms were not met by this external party. The proposed data analytical officers will examine all data to ensure that the key performance outturns are being met and complied with. It was confirmed that there are penalties attached to the targets for non-compliance, which can be imposed upon the Council by Welsh Government and can be passed onto contractors.

A Member queried the costs of additional staff as set out in Section 5.8 in the report and asked if some of the posts could be combined in order to make savings. Officers confirmed that the costs include salary on-costs and that the proposals have been developed in consultation with the Heads of Procurement and Corporate Finance to ensure the implementation of the proposed changes and deliver on the changes in legislation. In response to a separate query, Officers also provided clarification on the uplift costs built into longer-term contracts, with it noted that shorter-term contracts do not generally represent best value for money.

It was noted that Councillor B. Owen was not in attendance but had prepared three questions which were relayed to Officers during the meeting with the permission of the Chair. The first question asked if the Council had to adhere to strict local government procurement time periods (circa 5 years) and then go back to market to ensure to ensure best value for money, and also if the Authority had recently undertaken a procurement re-evaluation. Officers explained that there is no requirement on a contract term and that this depend on numerous factors including service needs and what offers best value for money, and that they would contact Councillor Owen following the meeting to seek clarification on the second part of his question.

The second question referred to the significant financial value and additional staffing attached to the proposals and sought clarification on the rationale behind these. Officers confirmed that this had already been answered during the course of the meeting. The third question asked if the additional resources requirement had come about as a result of the Council's failure to meet WG recycling targets. Officers confirmed that this is not the case and that these additional resources have been proposed to review contract management arrangements across the authority and to address the changes to procurement legislation following Brexit.

In closing, the Scrutiny Committee placed on record their thanks to all the front line staff in Waste Services for their ongoing efforts during a particularly challenging year, and asked Mr Williams and Mr Lloyd to relay the thanks of the Committee to their teams.

Following consideration of the report, it was moved and seconded that the following recommendations be forwarded to Cabinet for approval. By way of Microsoft Forms, and in noting there were 12 for, 0 against and 0 abstentions. this was unanimously agreed.

RECOMMENDED to Cabinet that the proposal to strengthen contract management arrangements be approved.

The Chair thanked all Members and Officers present for their support and commitment over the last twelve months, and the meeting closed at 6.20 p.m.

Approved as a correct record and subject to any amendments or corrections agreed and recorded in the minutes of the meeting held on 18th May 2021.

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CHAIR