

The Future of the Devon Authorities Waste Reduction and Recycling Committee (DAWRRC)

Report of the Head of Highways, Capital Development and Waste

Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect

Recommendation: It is recommended that the Committee:

- (a) supports the proposal to develop a new strategic waste management committee to replace the DAWRRC;**
- (b) supports the proposal to name the new committee the Devon Authorities Strategic Waste Committee;**
- (c) recommends to all Partner Authorities to elect to join the new Committee.**

1. Introduction

The Devon Authorities have worked together for 23 years following the setting up of a working party in 1990 to coordinate waste recycling. A Joint Recycling Committee which was first established in 1992, was subsequently replaced by the existing Devon Authorities Waste Reduction and Recycling Committee (DAWRRC) in November 1999.

Initially the need to work together began as an enlightened approach to increasing recycling in Devon from 2% in 1990 when it was carried out solely by the community sector. It gained drivers along the way particularly when the Government included statutory combined recycling and composting targets for district councils and county councils together and when the EU Landfill Directive came into play.

The Committee is made up of members from all the Devon District Councils, the County Council and Torbay Council. Plymouth City Council withdrew from DAWRRC in 2014.

At its meeting on 20 July 2015, (Minute 61) it was agreed that ‘the Committee acknowledged proposals for the replacement of the Devon Authorities Waste Reduction and Recycling Committee with a new joint committee to underpin a more strategic approach to waste issues and noted that detailed proposals worked up by partner authorities would be submitted to the next DAWRRC meeting for endorsement and approval by partner authorities.’

2. Joint initiatives

The Devon Authorities have worked together on:

- The Waste Management Strategy for Devon, first published in 2005.
- The Waste and Resource Management Strategy for Devon Review, published in 2013 & Action Plan.
- The ‘Don’t let Devon go to waste’ campaign which has raised awareness and encouraged the householders of Devon to reduce, reuse and recycle their waste via a mix of media including TV, radio, website, social media, roadshows, doorstepping, bus advertising, adshels, bill boards, posters and leaflets.

- The Schools Waste Education Strategy, first published in 2003, and the implementation of a range of initiatives in schools including workshops, theatre groups, waste audits and action plans, recycling schemes, composting schemes, visits to sites, website resources and a yearly waste summit.
- Joint contracts for the sale of paper, glass, textiles and bulk haulage enabling consistent and high material buy in rates.
- Successful bids for >£10million over the years from Defra, BIS, DCLG and WRAP.
- Support for the Community Sector in the form of Funding of the Devon Community Recycling Network Coordinator and the Devon Community Composting Network Coordinator and their assistants.
- Funding through Re-use credits of the Devon Furniture Forum groups.

Joint working has helped move Devon's recycling rate from 2% to 55% and in 2010/11 Devon was the top recycling county in the country. The amount of residual waste disposed of has reduced from 292,295 tonnes in 2000/01 to 164,434 tonnes in 2014/15 (down 56%). Similarly Torbay has seen a rise to 42% recycling with a reduction in residual waste from 49,570 tonnes in 2003/4 to 36,440 in 2014/15.

3. Devon Waste Partnership

Over the last two years attempts have been made through the Executive Waste Board for Devon to further progress partnership working and realise efficiencies by working in a more unified way.

The group assisted by some consultancy funded business analysis explored the possibilities of working through a Joint Waste Partnership or delivering a more unified service through other methods. e.g. procurement, cluster working, aligned collections etc.

However, whilst it was not possible to form a formal partnership, the desire to work closer together on more strategic waste issues remains, particularly with the need to deliver further savings whilst maintaining or improving performance.

The consultant employed to help develop the working model was clear that at least 50% of the potential savings to be gained from working as a formal Joint Waste Partnership could be achieved without a formal Partnership being in place. The recycling rate could also be increased by authorities following the "aligned collection regime" option (weekly food waste, weekly recycling, fortnightly residual collection and charged for garden waste).

A number of districts have already formed partnerships, or have worked or continue to work closely with their neighbouring authorities. All Devon Authorities have recently signed up to the Heart of the South West Statement of Intent towards devolution and development of a new more strategic waste management committee would support those principles.

4. Future Role of DAWRRC

Whilst DAWRRC has played a significant role in developing and promoting waste minimisation and recycling initiatives, it is recognised that its remit has been somewhat limited with regard to wider strategic work issues.

It is therefore considered that it would be timely now to revisit the purpose and role of the current Committee to ensure that more strategic waste management committee is provided; it is correspondingly suggested that the current Committee be wound-up and replaced by a new body with new working practices/operating principles and terms of reference to reflect

those wider, more strategic, aims and objectives, such that items which could be taken to a new Committee could include:

- Joint procurement e.g. of vehicles, bins and in-cab.
- Joint materials contracts – new materials e.g. card and mixed plastics.
- Proposed waste service changes.
- Behavioural change strategy for Devon.
- Mechanism for sharing savings between County and District Councils.
- Organic waste strategy for Devon.
- Collection and disposal of Healthcare waste.

In addition the new Committee would take ownership and be responsible for developing and implementing the Resource and Waste Management Strategy for Devon Action Plan.

It is proposed that the new Committee be called the Devon Authorities Strategic Waste Committee but this will be subject to further approvals.

5. Financial Implications

The current DAWRRC budget for 2015/16 stands at £188,644. This is made up of a top slice of the recycling credits paid by the County Council to the District Councils, and includes additional contributions from Devon County Council and Torbay Council. This budget could be reviewed as part of the remit of any new Joint Committee.

6. Timescale

If the proposals are approved it is proposed that the first meeting of the new Committee would be in June 2016 – to enable all constituent/ member Councils to agree to the new joint arrangements and approve the establishment of a new Committee. The last DAWRCC meeting would be in February 2016.

7. Governance

The DAWRRC cannot simply morph into a new committee or amend its constitution and terms of reference to suit. Any changes will require the approval of all constituent councils and it is suggested that the most sensible approach would be for the existing committee to be wound-up and a new joint committee created. With the emphasis and imperative for the group to work in the current climate of austerity, this actually offers an opportunity to refocus the work of the committee around potential income generation and efficient service solutions which require a different mandate.

A draft constitution and terms of reference are attached at Appendix I. It is proposed that each Partner Authority will elect their Cabinet Member with the waste remit/portfolio to sit on the Committee with one vote per authority.

8. Sustainability Considerations

Establishing a new committee to consider more strategic waste management issues across Devon and Torbay has the potential to deliver improved sustainable solutions.

9. Financial Considerations

There are no financial impacts arising as a result of this report but there could be in the future depending on how the Committee evolves.

10. Carbon Impact considerations

There are no carbon impacts as a result of this report.

11. Equality and Diversity

There are no equality and diversity issues as a result of this report.

12. Legal considerations

Legal and constitutional issues with respect to modifications to a Committee should the recommendations be approved would need to be considered going forward.

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Electoral Divisions: All in Devon

Local Government Act 1972: List of Background Papers

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Background Paper	Date	File Ref.
None		

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**CONSTITUTION AND TERMS OF REFERENCE FOR THE DEVON AUTHORITIES
STRATEGIC WASTE COMMITTEE**

1. Constitution

1. The Committee is established under the provisions of Section 101 of the Local Government Act 1972. The area in which the Committee is to exercise its authority is within the administrative areas of Devon County Council and Torbay Council.
2. The Committee shall comprise of one elected Member with Cabinet/Executive or 'portfolio' responsibility for waste management from each of the respective Authorities, as appointed by each Authority. Each Authority will ensure that its appointed Committee Member is a member of its Cabinet or Executive. Each Authority will elect a Deputy Committee Member to attend if the elected Joint Committee Member is not able to.
3. Each Authority should notify the Administering Authority in writing of any appointment of a Deputy Committee Member. Authorities may change their appointed Joint Committee Members at any time by notification in writing to the Administering Authority
4. The role of each Committee Member will be to attend meetings of the Committee, to vote on items of business, to commit to and make a positive contribution to the Joint Committee, and to act as a champion and ambassador for the Committee, seeking any necessary approvals from their Authority. Voting rights shall be restricted to those local authorities which make a financial contribution to the Committee's budget
5. The Committee shall normally meet 3 times per year, with an annual presentation of statistical performance.
6. The Chairman and Vice-Chairman shall be elected annually by the Committee; the offices of Chairman and Vice-Chairman shall rotate annually between the County Council and Torbay [as a group] and the District Councils [as a group], provided the relevant Committee Member represents a local authority with voting rights. Nominations for these posts may be stipulated by the constituent council or made and seconded by any Member of the Committee with all Members present holding voting rights being able to vote. The inaugural Chairman will be the County Council Member with Vice Chair being a District Council Member. This would then change to a District Council Member as Chair with a Torbay Member as Vice Chair and so it would rotate.
7. The County Council shall be the Administering Authority for the Committee. The County Council's Procedure Rules (Standing Orders) and Financial Regulations shall apply to the Committee's procedures and activities.
8. The Committee shall have the power to co-opt other representatives to serve in a non-voting capacity. These would be Associate Members without voting rights but the ability to speak.
9. The County Treasurer shall hold a separate account for the Committee.

2. Terms of Reference

The purpose of the Committee is:-

1. To promote sustainable, cost effective and efficient service delivery through a shared approach to resource and waste management in Devon.
2. To take ownership of and be responsible for the development, implementation and review of the Resource and Waste Management Strategy for Devon Action Plan.
3. To exercise those responsibilities delegated to the Committee and to make recommendations to the respective Authorities including through the Chief Executives and Leaders group on matters of strategic importance including future strategy, collection, treatment and disposal of wastes; and to implement and further develop initiatives as requested by this group and joint consultative committees.
4. To share resources wherever practicable , having due regard to the opportunities for economies of scale to ensure effective use of resources including joint procurement opportunities to deliver savings to the public purse
5. To continue to develop and implement behavioural change & education initiatives to ensure that communities are well informed and are actively encouraged to maximise their opportunities for waste minimisation, reuse and recycling & composting.
6. To consider and adopt funding policies for the Committee's Budget.
7. To administer payments from the Committee's Budget in accordance with the County Council's Financial Regulations to finance waste management activities; to receive accounts relating to Joint Schemes; and to consider the annual budget for the Committee.

3. Working Arrangements

1. Funding the Committee

- (a) The County Council will withhold an agreed percentage of the recycling credit payment due to the District Councils (credits paid to voluntary groups are excluded from this calculation), with additional contributions from Devon County Council and Torbay Council. This amount will be accounted for separately and held by the County Treasurer on behalf of the Committee. The amount withheld will be agreed by the Committee annually, and will be calculated to produce an agreed budget for supporting waste management projects in Devon. The contribution will be calculated by applying the agreed percentage of the applicable recycling credit rate for the area. In the event that the amount withheld is insufficient to fund agreed countywide projects, the shortfall will be made up by an adjustment in the following financial year.
- (b) The Committee's budget will comprise the payments described in 1(a), plus existing balances held.

2. Membership of the Committee

If any of the parties wishes to cease making a financial contribution [as specified in paragraph 1(a) above], it shall be able to do so at the end of the financial year, on giving at least 6 months' prior written notice to that effect to each of the other parties

and on such cessation and shall automatically cease to be (voting members) of the Committee from that date;

it shall be released from further contributions on condition that it accepts liability whether financial or otherwise for the effect of its action upon any commitments or other arrangements entered into in good faith by member authorities [on behalf of the Committee] with third parties prior to such cessation and shall automatically cease to be (voting members) of the Committee from any such agreed date;

3. Each party shall take out and maintain a public liability policy of insurance in respect of its activities as a member of the Committee in such sum and upon such terms as it shall see fit.
4. Reports for the Committee are to be considered by a Senior Waste Officer Group comprising of waste service managers from each of the respective Authorities which shall meet as required by the programme of Committee meetings. The Senior Waste Officer Group shall set up Working Parties as necessary to consider specific project areas, which will report back to the Senior Waste Officer Group and subsequently to Committee. A Recycling Officers' Forum, made up similarly, will report to the Senior Waste Officer Group on waste minimisation, re-use, recycling & composting initiatives and performance, and attend the Committee on an annual basis.
5. Minutes of the Committee shall be submitted to the relevant Cabinet/Executive or Committee of each constituent Council, and all Partnership Committees.
6. The County Council's Head of Highways, Capital Development and Waste shall collate annual recycling statistics for the Committee's consideration.
7. The County Council's Head of Highways, Capital Development and Waste shall maintain a register of all items of plant and equipment held on behalf of the Committee by constituent Authorities, and other bodies.