

**LINCOLNSHIRE WASTE
 PARTNERSHIP
 9 JUNE 2016**

PRESENT:

COUNCILLOR

Councillor Reginald Alan Shore (Vice-Chairman, in the Chair)	(Lincolnshire County Council)
Steve Willis	(Lincolnshire County Council)
Sean Kent	(Lincolnshire County Council)
District Councillor Michael Brookes	(Boston Borough Council)
George Bernard	(Boston Borough Council)
Victoria Burgess	(East Lindsey District Council)
District Councillor Fay Smith	(City of Lincoln Council)
District Councillor Richard Wright	(North Kesteven District Council)
Mark Taylor	(North Kesteven District Council)
District Councillor Roger Gambba-Jones	(South Holland District Council)
Emily Spicer	(South Holland District Council)
District Councillor Nick Craft	(South Kesteven District Council)
Ian Yates	(South Kesteven District Council)
Simon Mitchell	(Environment Agency)
Ian Taylor	Environmental Services Team Leader (Waste)
Councillor Anthony Herbert Turner MBE JP	
Rachel Wilson	Democratic Services

1 PARTNERSHIP MANAGEMENT ISSUES

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1a Election of Chairman

It was proposed and seconded that Councillor D Cotton (West Lindsey District Council) be elected as Chairman of the Lincolnshire Waste Partnership for 2016/17

RESOLVED

That Councillor D Cotton be elected as Chairman of the Lincolnshire Waste Partnership for 2016/17.

1b Election of Vice-Chairman

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It was proposed and seconded that Councillor R Shore (Lincolnshire County Council) be elected as the Vice-Chairman of the Lincolnshire Waste Partnership for 2016/17.

RESOLVED

That Councillor R A Shore (Lincolnshire County Council) be elected as Vice-Chairman of the Lincolnshire Waste Partnership for 2016/17.

COUNCILLOR R A SHORE IN THE CHAIR

1c Apologies for Absence

Apologies for absence were received from Councillor D Cotton and Ady Selby (West Lindsey District Council) and Councillor Mrs S Harrison (East Lindsey District Council)

1d Declaration of Interests

There were no declarations of interest at this point in the meeting.

1e Minutes of the meeting held on 11 February 2016

RESOLVED

That the minutes of the meeting held on 11 February 2016 be agreed as a correct record subject to the amendment of the word 'grass' to 'glass' under minute number 66a, paragraph 2.

It was reported that an interactive forum entitled 'Developing a Circular Economy in the UK: Improving Waste Management' was being held on 22 September 2016 in Central London, and was organised by Defra and WRAP.

1f Future Dates for the Lincolnshire Waste Partnership 2017

The Lincolnshire Waste Partnership considered the provisional dates for 2017 as set out below:

Officer Working Group (1.00 pm start)	Member/officer pre-meeting (3.00 pm start)	Lincolnshire Waste Partnership (10.30 start)	Officer Working Group (1.00 pm start)
7 April 2016	26 May 2016	9 June 2016	2 June 2016
4 August 2016	1 September 2016	15 September 2016	29 September 2016
27 October 2016	8 November 2016	24 November 2016	22 December 2016
2 February 2017	14 February 2017	2 March 2017	30 March 2017
11 May 2017	23 May 2017	8 June 2017	6 July 2017
10 August 2017	22 August 2017	7 September 2017	5 October 2017

26 October 2017	7 November 2017	23 November 2017	21 December 2017
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Members of the Partnership were asked to contact the Democratic Services Officer if there were any issues with the dates.

RESOLVED

That the provisional dates for 2017 be noted.

1g Partner Updates

Members of the Partnership were provided with the opportunity to update the rest of the Partners on any developments within their individual districts which may be of interest, and the following was reported;

North Kesteven District Council – the authority had had another successful prosecution for fly tipping with £2,500 of penalties awarded. It was noted that the Deputy Leader of the Council had witnessed the incident. It was reported that the Council would be able to recover their costs.

It was also reported that planning permission had been obtained to build a new depot in Metheringham.

In terms of garden waste collections, the annual charge had been increased from £25 to £30 and there were still approximately the same number of people signed up, and so the increased charge had not had an impact on take up rates.

South Kesteven District Council – the authority had had a similar experience to NKDC with the green waste. It had been found that people valued the service when it was charged for, and there had been an uplift in take up. It was planned to introduce a direct debit scheme, as this would reduce the costs of rebilling. Since the shift online, there had been a 60% take up of the direct debit.

South Holland District Council – the pilot green waste collection had been launched in April, and after two months, the authority was about to break even. A lot of positive feedback had been received, and 85% of the residents that had signed up, had done so online. Officers commented that they would be interested to find out more about the setting up of a direct debit scheme, and it was suggested whether it could be looked at further by the Officer Working Group.

In terms of fly tipping, a couple of cases were being pursued under the Duty of Care Act.

A councillor reported that in South Holland, there was a very active local volunteer group, which called itself 'Spotless Spalding', which was focused on clearing the riverside area and so far the volunteers were doing a very good job and the group was going from strength to strength. He also commented that he was keeping the group at arm's length as it was doing things the council was unable to do such as removing graffiti from private residences.

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East Lindsey District Council – the charge for the collection of bulky waste increased on 1 April 2016. Other projects were still ongoing.

Boston Borough Council – a charge for green waste had now been introduced, and it was reported that 77% of the people that took up the service last year had renewed. There were approximately 250 people per week signing up for the service. It was also noted that an increase in residual waste had not been noticed. 45% of those signing up to the green waste service did so via the internet. The authority also expressed an interest in finding out more information regarding a direct debit service. It was noted that there were set up costs, but once established would be an ongoing saving.

Environment Agency – Fire Prevention Plan Guidance – there was a focus on reducing the risk of fires at waste storage facilities as there was new guidance which was due to be released which would require operators of sites to reduce the risks. This guidance was being developed with the Fire Services as well as the waste industry. Most of the industry welcomed this new guidance which would state maximum sizes of piles etc., but it would put more pressure on smaller operators as it would reduce the amount of storage they could have on site. The officer present offered to provide further information on this at a future meeting, which the Partnership welcomed.

City of Lincoln Council – it was reported that Lincoln did not start its green waste year until 1 July, but there had been a large take up this year already, and a larger number than last year had signed up using the internet.

A small increase in fly tipping was also reported. It was noted that there had not been any prosecutions in 2015/16 but there were currently four cases pending.

The Council had employed its own Street Enforcement Officer for littering, and so far the full cost of this post had been recovered. 395 tickets for littering had been issued. The authority would be happy to supply full details of this if other members were interested.

Lincolnshire County Council – the position on Boston HWRC had been confirmed, and the authority would be pursuing the option of building its own facility, and it should be in place by the end of March 2017, subject to planning permission being awarded. The authority would be going out to tender for the Kirkby on Bain site.

A major emergency planning exercise – Exercise Grey Seal – was planned to take place in November 2016. This would deal with the effects of a major incident along the coastline and the Humber. It was reported that there would be a lot of work taking place in advance of the day.

2 OPERATIONAL ISSUES

2a Fly-Tipping Update

The Lincolnshire Waste Partnership received an update from Mark Taylor, Head of Environment and Public Protection, North Kesteven District Council on the current fly-tipping situation in the county. It was reported that there had been a slight increase in some of the districts, but it was difficult to determine why

It was reported that a training event on fly tipping had taken place and there had been attendance from across the county, and the event had also received good feedback.

Members of the Partnership discussed the current situation in relation to fly tipping, and some of the points raised during discussion included the following:

- The number of prosecutions carried out by NKDC was impressive.
- It was reported that the number of legal services staff had not been increased as the district was part of the legal shared services. However, it was a resource intensive activity.
- It was noted that costs in relation to time spent on a successful prosecution could be recovered through the courts.
- It was acknowledged that it was difficult to prove that pursuing prosecutions was saving money, but if they were not pursued there would be no deterrent.
- It was commented that people would tend to dump items they did not want to pay to dispose of.
- The City of Lincoln had run a trial scheme the previous year in one of the worst areas of the city for fly tipping (42% of fly tipping incidents took place in this area). Under the scheme, items were not collected, but the area was leafleted, encouraging people to report fly tipping. However, the scheme was not successful.
- It was queried whether members were aware of the role of the Environment Agency with fly tipping incidents, and it was suggested whether an update should be provided on this?
- It was reported that the Environment Agency would get involved if it was in the categories of 'big, bad or nasty'. 'Big' was if the amount of waste dumped had been left by an articulated lorry; 'Bad' referred to hazardous materials; and 'Nasty' was if waste had been dumped as part of organised crime. The Environment Agency would collect evidence from across the country.
- The Environment Agency did have a certain amount of funding available for clearing waste from structures in rivers to prevent flooding.

RESOLVED

That the update be noted.

3 STRATEGIC ISSUES

3a Lincolnshire Waste Partnership Audit

Consideration was given to a report which outlined the proposal for an audit of the Lincolnshire Waste Partnership and the Joint Municipal Waste Management Strategy (JMWMS). This was expected to assist in the assurance of the JMWMS being a fit for purpose and relevant document. Additionally there would be assurance of the LWP being a well-managed, engaging group, with strong governance, as well as determining a future vision for a successful and sustainable waste management service provision for the benefit of all Lincolnshire residents.

The Partnership was provided with the opportunity to ask questions to the officers present in relation to the information contained within the report, and some of the points raised during discussion included the following:

- It was commented that one of the things that could come out of this audit was that there had been a struggle to find agenda items. One of the outcomes could be a need for a more structured approach.
- It was noted that this was currently a scoping exercise, and draft document for comment.
- The final report would go through the County Council's Audit Committee, but it would also come back to this Partnership. Districts were welcome to take the report to their own audit committees as well.
- If people had comments on the terms of reference, they were encouraged to contact the Democratic Services Officer.
- The aim of the Audit was to be forward looking, as there were a lot of challenges coming up. It would also be looking at governance arrangements. There would be a changing agenda going forward for waste and the Partnership would need to be prepared for that.
- The price of recyclables had changed and so there was a need to make sure that the authority was getting the best value, and that methods were in place to make the best use of resources.
- It was confirmed that the audit would be carried out by the County Council who would also meet the costs, as it was part of the County Council's Annual Audit Plan.
- It was queried whether there was a need for an audit of whether the JMWMS was still fit for purpose, and whether the Partnership could just hold a workshop.
- It was commented that it was positive that the issue of value for money would be included.
- The Partnership was advised that the audit was not about coming up with answers, but it was about looking for assurance.
- It was noted that the audit would not be looking into each organisation and how they operated, it would just look at the Partnership. It was about the future direction, how the partnership operated and governed itself.
- It was commented that one of the weaknesses of the Partnership was that it always met in public, and so could not always have honest conversations due to the sensitive nature of some of the issues.
- It was queried whether LCC had asked for this audit, and it was acknowledged that the Partnership had not had one for many years, and the opportunity to scope something out came up, and it was suggested that it would be a good idea.
- It was commented that this had to be a beneficial activity, as it would let the Partnership know how it was performing and whether it was working as it should do.
- It was suggested that the vision for the Partnership should be determined by the Partnership.
- The report would be the view of internal audit, and it was hoped that all information would be pulled together to provide something of value, and the Partnership would be able to decide what to do with the report.

RESOLVED

That the Lincolnshire Waste Partnership support the undertaking of the audit and provide the required staff resources, to produce a considered audit report for submission to the Partnership at its next meeting on 15 September 2016.

3b MDR Monitoring

Consideration was given to a report on MDR Contamination and Monitoring which informed the Partnership that from 1st April 2015, the County Council had responsibility for the countywide processing of the presented dry recycling materials. Section 9A of the Environment Permitting Regulations 2014 placed a requirement on Materials Reclamation Facilities to routinely sample and test the composition of their input and output materials and to report this.

This was in effect from 1 October 2014 and required a sample to be taken for every 160 tonnes by each district council, and would decrease to 125 tonnes from 1 October 2016. This sampling has been queried by the District Councils as the reported contamination was above the national average of 14% and in most cases well above the levels previously reported. As a result, the County has undertaken inspections of the sampling process which concluded that there was no reason to question the stated contamination. However, the validity of these figures and the testing regime was still challenged by the district councils.

In response to this challenge, an open discussion was held with the Partnership around the following topics, so all authorities could work together to investigate and agree an appropriate way forward:

1. Levels of contamination v previous years v national average and impact
2. Potential impact of contamination on TEEP
3. Independent testing of the countywide material
4. Timeliness of processing at WTS
5. Contingency arrangements
6. Enforcement and Education
7. Future plans and way forward

Some of the points and issues raised during this discussion included the following:

- There was a need to find out what the issues were and document them.
- There may be a need for the Officer Working Group to meet and take forward any actions.
- The original driver was the contamination issue, and there were other issues which may come out of this, such as issues with the contract.
- It was commented that up until a few years ago, contamination rates were at 5, 6, 10, 12%, however, since the new contract had been in place rates were regularly in the teens. There was a need to understand the sampling regime.

(At this point in the meeting, Councillor R Wright declared an interest as the organisation he worked for handled the recycling for Lincoln Prison)

- It was acknowledged that for three months the sampling method was being confirmed.

- It was commented that that it was strange that the contamination rates were so high, and it was queried whether there was any benefit to the operator of high contamination rates.
- It was commented that drivers in South Holland had reported that most of the material at the WTS at Market Deeping was not being processed very quickly. Material quality would degrade very quickly, particularly in hot weather if not processed in a timely manner.
- The closure of processing facilities around the country for paper and tins as well as changes in the market for recyclables had also been an issue.
- It was queried who benefitted from an increased failure rate, and it was reported that Mid UK converted any contaminated materials into SRF which was then sold on to the cement industry. Mid UK claimed to divert 100% of waste from landfill.
- All districts accepted that there was contamination in the recycling, but there was a need for confidence in the methodology being used.
- There had been a suggestion that some additional third party sampling took place. The County Council had undertaken a validation process, as had Mid UK..
- It was proposed that members visit a Waste Transfer Station so they could see the levels of contamination themselves. It was recommended that members should go as a group, and that they could pick the days on which they wanted to visit.
- The incentives for Districts to increase recycling had been removed the previous year. It was noted that significant money had been taken out of the County's budget for waste, officers and members would like to be able to put additional resources into recycling rates, but there was no money for this work.
- Members were advised that the current contract would run until 2018, and there had been a suggestion for an incentivised process in the future. It was noted that there would be a need to start working on the new contract in the near future.
- With ongoing work on devolution agreements, there would be a need for all authorities to work together on waste and deal with it as a resource going forward.
- It was felt that one issue with the contract was that it was indexed.
- There was a need to gather intelligence about the areas where there was the most contamination, so that marketing information could be targeted.
- It was important that all districts were delivering the same message in terms of what would be collected. If there was a need to determine the best things to be collected for the new contract then it should be done. There was a need for a countywide publicity campaign, rather than mixed messages.
- It was queried whether having a county owned MRF would be a better option, or if kerbside recycling should be introduced, so that contaminants could be rejected at the kerbside.
- Nationally there were hundreds of different recycling schemes working across the country. If authorities were going to be given increased recycling targets something would have to change, and this was where the Partnership should be focused.
- The next opportunity for change would be the contract from 2018 onwards as it could give an opportunity for a different model and to look at things in a different way.
- Glass was an issue in terms of whether it should be in or out of recycling bins in East Lindsey as it had never been collected at the kerbside, and the district has always used bring sites. The benefit of this had been a cheaper contract price.

Work was ongoing on whether glass should be included and the implications for TEEP.

- It was queried how the actions which came out of the audit would be prioritised, and also whether the Partnership should wait for the outcome of the audit.
- There would need to be an assessment of the potential impact of contamination on TEEP prior to the new contract.
- Contamination was increasing, and it would need to be discussed whether or not districts should continue to collect co-mingled waste.
- It was recognised that markets had changed, and the pressures on the company had changed.
- County Council paid more for the waste which was rejected, than that which was accepted.
- It was important for the Partnership to know what the levels of contamination were across Lincolnshire, and until the feasibility study took place, this would be an unknown.
- There would be a need to work together with the wider devolution agenda going forward. Collection of waste was a huge issue, and there could be a need to look across the greater Lincolnshire area for a solution for managing waste.
- It would be important for members to have sight of any business case which was produced for either kerbside collections or a county owned MRF, as members would need to have the debate in their own areas as there would be a cost implication.
- It was reported that Norfolk had had a huge contamination issue, but authorities worked together as a partnership, and did a lot of work and the contamination rate has dropped, without resorting to kerbside collections.
- It was suggested whether the money which could be used for an MRF could be used to find other ways to solve the contamination issue.
- It was noted that the collection costs for kerbside sorting were higher than for the collection of co-mingled recycling.
- Newcastle had switched to kerbside recycling, and it was a very complex scheme, and the council was still doing a lot of education work.
- There would be a need to lay out very clearly what was being suggested and what it would mean for residents.
- There would be a need to work differently as a combined authority, and there would need to be some compromises.
- In terms of contingency arrangements, there was a need to think about the risks for all the organisations in the Partnership in the event that there were changes.
- It was commented that if what was accepted as recycling was reduced, then there would be an increase in residual waste for the EfW, and there would need to be plans put in place which would deal with that situation.
- It was reported that an article was to be included in County news which would focus on enforcement and education.

RESOLVED

1. That visits to the Waste Transfer Stations in the County be arranged for the Lincolnshire Waste Partnership

2. That consideration be given to the contents of the next Mixed Dry Recyclables Contract by the Officer Working Group
3. That consideration be given to the possibility of a county owned Materials Recovery Facility and for the implementation of a kerbside recycling scheme throughout the county, as part of the Waste Strategy refresh.
4. That some of the Districts had written regarding independent testing. The County had responded to these districts to clarify the position with regards to the funding of this testing.

The meeting closed at 12.30 pm