

**PROPOSALS FOR PARTNERSHIP WORKING  
AND FUTURE GOVERNANCE ARRANGEMENTS BETWEEN  
GLOUCESTERSHIRE WASTE DISPOSAL AND COLLECTION AUTHORITIES**

<b>Cabinet Date</b>	20 December 2019
<b>Environment and Planning</b>	Cllr Nigel Moor
<b>Key Decision</b>	Yes
<b>Background Documents</b>	Gloucestershire Joint Waste Committee (8 <sup>th</sup> Oct 2019) Agenda item 8 "Future Waste Partnership Proposal".
<b>Location/Contact for inspection of Background Documents</b>	<a href="http://glostext.gloucestershire.gov.uk/ieListDocuments.aspx?CId=714&amp;Mid=9027&amp;Ver=4">http://glostext.gloucestershire.gov.uk/ieListDocuments.aspx?CId=714&amp;Mid=9027&amp;Ver=4</a>
<b>Main Consultees</b>	Gloucestershire district councils
<b>Planned Dates</b>	Dissolution of Gloucestershire Joint Committee – 13 <sup>th</sup> December 2019 Formation of new Gloucestershire Resources and Waste Partnership – December 2019 to February 2020
<b>Divisional Councillor</b>	All
<b>Officer</b>	Wayne Lewis <a href="mailto:Wayne.lewis@gloucestershire.gov.uk">Wayne.lewis@gloucestershire.gov.uk</a>
<b>Purpose of Report</b>	To propose the formation of a Gloucestershire Resources and Waste Partnership whose membership shall be comprised of Gloucestershire County Council and the following district councils: <ul style="list-style-type: none"> <li>• Cheltenham Borough Council;</li> <li>• Cotswold District Council;</li> <li>• Forest of Dean District Council;</li> <li>• Gloucester City Council;</li> <li>• Stroud District Council; and</li> <li>• Tewkesbury Borough Council.</li> </ul>
<b>Recommendations</b>	That Cabinet: <ol style="list-style-type: none"> <li>1. Authorises the formation of a new Gloucestershire Resources and Waste Partnership between Gloucestershire County Council (GCC) and the district councils listed above; and</li> </ol>

	<p>2. Delegates authority to the Head of Joint Waste Management in consultation with the Cabinet Member: Environment and Planning and the Chief Executive to agree and approve the Terms of Reference for the partnership.</p>
<p><b>Reasons for recommendations</b></p>	<p>To continue the long history of partnership working in waste management between GCC and the district councils in Gloucestershire in order to deliver waste management services that protect the environment and provide good value for money.</p>
<p><b>Resource Implications</b></p>	<p>There are no direct costs related to the formation of the proposed Gloucestershire Resources and Waste Partnership, although it is planned that a working budget for countywide communications and joint projects of the partnership be set. Such budget will be set in accordance with successor arrangements that are currently being negotiated between GCC and the district councils in relation to Food Waste Collection and Delivery Arrangements. The setting of said budget will be the subject of a separate GCC cabinet decision. The proposed working budget will be no more than £60,000 per annum for GCC during the period July 2020 - July 2023 and will be met from existing revenue budget (assuming the separate GCC cabinet decision relating to the successor arrangements to the Food Waste Collection and Delivery Arrangements is agreed).</p> <p>It is anticipated that GCC will employ a Partnership and Community Engagement Officer that will help to coordinate the activities of the proposed new partnership and lead on the delivery of its joint communications and projects. GCC will allocate existing waste revenue budget to the role, with any funding shortfall to be taken from GCC's contribution to the proposed countywide communications and joint projects fund (the £60,000 per annum outlined above). The post will initially be recruited on a fixed term basis of up to 3 years (coinciding with the initial term of the proposed Residual Waste Reduction Incentive Arrangements).</p> <p>District council contributions to the role of Head of Joint Waste Management will cease when the current Gloucestershire Joint Waste Committee ends on 13<sup>th</sup> December. The management arrangements in respect of the waste function at GCC have been considered and it is believed that there is a business need for a Head of Waste post. Appropriate council procedures will be applied to effect the necessary changes.</p> <p>It is anticipated that meetings of the proposed Gloucestershire Resources and Waste Partnership will be hosted by its member councils on a rotating annual programme. This may require some clerical support from the member councils, which is estimated to cost around £2,000 per annum (approximately £285 per annum for each of the seven member councils). This will also be drawn from the proposed countywide communications and joint projects fund for the new partnership.</p>

## MAIN REPORT CONTENTS

### Background

1.1 The Gloucestershire Joint Waste Committee (GJWC) is formally constituted between:

- Gloucestershire County Council;
- Cheltenham Borough Council;
- Cotswold District Council;
- Forest of Dean District Council; and
- Tewkesbury Borough Council.

1.2 The GJWC is supported by the Joint Waste Team (JWT), which is employed by Gloucestershire County Council (GCC) on behalf of the partnership. The JWT works with Lead Officers from each GJWC partner council through the Senior Managers Group (SMG).

1.3 Stroud District Council and Gloucester City Council attend GJWC meetings (by invitation from the Chair) as non-voting members.

1.4 On 6th December 2018, Cheltenham Borough Council sent notice of its intention to leave the GJWC. This triggered the Termination provisions within the Inter-Authority Agreement (IAA) that governs the committee. Under the terms of the IAA, the GJWC is dissolved 12 months following such notice, unless two or more of the remaining partners serve a Continuance Notice on all of the other partners no later than 3 months before the Dissolution Date. A Continuance Notice has not been served (with the deadline being 13th September 2019), meaning that the GJWC will end on 13th December 2019.

1.5 Both voting and non-voting members of the GJWC have expressed an interest in continued partnership working. Accordingly, an informal partnership, with countywide membership was proposed. To this end, a proposal for a future Resources and Waste Partnership was considered by the GJWC at its meeting on 8<sup>th</sup> October 2019.

1.6 Since the GJWC meeting on 8<sup>th</sup> October 2019, officers from each of the GJWC members have begun to draft terms of reference for the new Resources and Waste Partnership; these are to be finalised between December 2019 and March 2019. The purpose of the proposed new partnership will be to provide countywide leadership and a framework for joint working between Gloucestershire local authorities on resources and waste matters. A principal function will be the development of a new joint Resources and Waste Strategy for Gloucestershire, setting out a clear plan for delivering sustainable and affordable services over the next decade. Once adopted, the proposed new partnership will coordinate and oversee the delivery of the said strategy.

1.7 The proposed new partnership will not have any statutory powers, but rather the statutory responsibilities for waste management will be held by the individual local authorities following the dissolution of the GJWC. Each local authority will hold its own budgets, contracts and employ its own staff. The Transfer of Undertakings (Protection of Employment) Regulations will apply on the dissolution of the partnership. This will mean the transfer of four staff from the JWT back to district councils on 13<sup>th</sup> December 2019. The role of the Head of the Joint Waste

Team in its current form will no longer be required. However, there is a business need for a Head of Waste post for GCC. Appropriate council procedures will be applied to effect the necessary changes.

1.8 It is proposed that GCC shall employ a Partnership and Community Engagement officer, responsible to the Head of Waste at GCC (funded from existing revenue budget and GCC's contribution to the proposed countywide communications and joint projects fund) to support the proposed new partnership and coordinate joint communications and projects.

1.9 Any future one-off costs that may arise from the work of the proposed partnership will be subject to separate decisions as appropriate. For example, these might include surveys or research commissioned on behalf of the new partnership. The proposed partnership Terms of Reference will set out a mechanism for allocating any future shared costs between GCC and district councils.

## **Options**

2.1 Three main options have been considered by GCC:

- I. Do nothing – allow the GJWC to dissolve in Dec 2019 and do not develop any alternative partnership working arrangements;
- II. Maintain the GJWC – continue the GJWC with the remaining partner councils (ie, Cotswold D.C, Forest of Dean D.C, Tewkesbury B.C and Gloucestershire County Council);
- III. Form a new partnership that is less formal than the GJWC and which encourages all Gloucestershire local authorities to join.

2.2 Option I was discounted as it was agreed by each member (voting and non-voting) of the GJWC that there was value in continued joint working on waste matters. Option II was discounted by the remaining voting members of the GJWC as it was felt that with reduced membership, the GJWC would no longer add sufficient value. There was also a desire for statutory powers delegated to the GJWC to be returned to the individual partner councils. Option III is supported by members of the GJWC and outline terms of reference for a new partnership agreed in principle. Accordingly, the officer recommendation is to form a new Gloucestershire Resources and Waste Partnership between GCC and the district councils.

## **Risk Assessment**

3.1 Failure to agree a partnership working framework with district councils risks a loss of coordination on waste and resources matters. Both GCC (as Waste Disposal Authority) and district councils (as Waste Collection Authorities) have legal duties for the management of waste, with combined annual revenue expenditure in excess of £50 million. A lack of cohesion or insufficient communication could result in uninformed decision making and risk increased costs.

3.2 In view of the fact that Government supports partnership working in waste, future funding opportunities may be enhanced if it can be demonstrated that there is joint working between Gloucestershire's local authorities.

## **Officer Advice**

4.1 That Cabinet approve the recommendation set out on page 2 of this report.

## **Equalities considerations**

5.1 A due regard statement has not been prepared, but consideration of the likely equalities impact of the recommended option indicates that there is no disproportionate effect on those persons within the protected characteristic groups.

## **Consultation feedback**

6.1 Options for future partnership working have been considered at meetings and workshops of the GJWC during 2019. Non-voting members (Gloucester City and Stroud D.C) have also contributed to these meetings. The terms of reference currently being developed by officers will reflect the views and preferences expressed during these meetings.

## **Performance Management/Follow-up**

7.1 Each Gloucestershire local authority has been invited to join the proposed Resources and Waste Partnership and each will take a decision between December 2019 and February 2020 on whether to agree the proposed Terms of Reference. It is anticipated that the proposed new partnership will meet on a quarterly basis from February/March 2020.

<b>Report Title</b>	Proposals for partnership working and future governance arrangements between Gloucestershire Waste Disposal and Collection Authorities
<b>Statutory Authority</b>	S.51 Environmental Protection Act 1990 – duty to arrange for disposal and duty to provide HRCs  S.1 Waste Minimisation Act 1998, Power to take steps to minimise waste  S.1 Localism Act, Power of General Competence
<b>Relevant County Council policy</b>	Joint Municipal Waste Management Strategy 2007-2020
<b>Sustainability checklist:</b>	
Partnerships	District Councils
Decision Making and Involvement	The proposed creation of the Resources and Waste Partnership will not devolve any decision making powers to the Partnership, but will enable a more co-ordinated and cohesive approach to collection and waste disposal.
Economy and Employment	N/A
Caring for people	N/A
Social Value	N/A
Built Environment	N/A
Natural Environment' including Ecology (Biodiversity)	The objectives of the Resources and Waste Partnership are centred on reducing waste and protecting the environment.
Education and Information	One of the main functions of the Resources and Waste Partnership is to provide education and public information on waste reduction and recycling.
<b>Tackling Climate Change</b>	Carbon Emissions Implications? Positive/ Neutral/ Negative Vulnerable to climate change? Yes/ No/ Maybe
<b>Due Regard Statement</b>	Has a Due Regard Statement been completed? Yes/No Yes - considerations included in main body of report

	<p>A copy of the full Due Regard Statement can be accessed on GLOSTEXT via <a href="http://glostext.gloucestershire.gov.uk/uuCoverPage.aspx?bcr=1">http://glostext.gloucestershire.gov.uk/uuCoverPage.aspx?bcr=1</a></p> <p>Alternatively a hard copy is available for inspection from Jo Moore, Democratic Services Unit, e-mail: <a href="mailto:jo.moore@gloucestershire.gov.uk">jo.moore@gloucestershire.gov.uk</a>.</p>
<b>Human rights Implications</b>	None anticipated.
<b>Consultation Arrangements</b>	Any future Waste and Resources Strategy developed by the partnership would be subject to public consultation.