

Nottingham City Council

Overview and Scrutiny Committee

Minutes of the meeting held at Ground Floor Committee Room - Loxley House, Station Street, Nottingham, NG2 3NG on 9 November 2022 from 2.00 pm - 3.45 pm

Membership

Present

Councillor Samuel Gardiner (Chair)
Councillor Georgia Power (Vice Chair)
Councillor Merlita Bryan
Councillor Patience Uloma Ifediora
Councillor Corall Jenkins
Councillor Jane Lakey
Councillor Sajid Mohammed
Councillor Anne Peach
Councillor Angharad Roberts
Councillor Andrew Rule

Absent

Councillor Carole McCulloch
Councillor Gul Nawaz Khan

Colleagues, partners and others in attendance:

Beth Brown

- Head of Legal and Governance and Statutory Scrutiny Officer
- Head of Service for District Heating and Waste Strategy
- Head of Commercial and Domestic Waste
- Senior Governance Officer

36 Apologies for absence

Councillor Gul Khan – unwell
Councillor Carole McCulloch - unwell

37 Declarations of interests

None

38 Minutes

Approval of the minutes of the meeting held on 12 October 2022 was deferred until the next meeting.

39 Municipal Resources and Waste Strategy

Antony Greener, Head of Service for District Heating and Waste Strategy, and Alvin Henry, Head of Commercial and Domestic Waste, gave a presentation on development of a draft Municipal Resources and Waste Strategy for Nottingham, which is currently being consulted on. They highlighted the following information:

- a) The current waste strategy has been in place since 2010. Given the changing national and local context, it is appropriate that the strategy is now being refreshed.
- b) In 2018 the Government published a national strategy for England that set out new requirements for local authorities, some of which have since been incorporated into legislation. These include that all councils must provide a food waste collection service; greater prescription in levels of uniformity of waste collection to help the public manage and dispose of their waste better; a national target to recycle 65% of waste by 2035 (in Nottingham currently 24/25% of waste is recycled); less than 10% of waste to be put into landfill by 2035 (in Nottingham, due to the Eastcroft incinerator, approx. 8% of waste goes to landfill); all avoidable plastic waste should be eliminated by 2042; and by 2050 there should be a zero-waste society with no avoidable waste.
- c) In addition to these national requirements, Nottingham has set its self the target of being carbon neutral by 2028 and waste management and disposal can make a considerable contribution to achieving this.
- d) The 'waste hierarchy' sets out a succession of waste treatment types from low carbon to most carbon intensive and is one of the key drivers for the vision and ambitions of the strategy.
- e) The draft strategy contains ten objectives:
 - i. Waste hierarchy
 - ii. Reduce the amount of waste going to landfill with a target of zero. The Council is doing well on this but it can do better, particularly during periods when the Eastcroft incinerator is being maintained/ refurbished.
 - iii. Reduce carbon emissions
 - iv. 'Lead from the front' in the way that Council's buildings are operated
 - v. Provide a high quality, customer focused service that is accessible and inclusive
 - vi. Work in partnership with the community, private and public sectors. The Council cannot make the transition on its own.
 - vii. There are options at this stage and the Council is seeking feedback on the appetite for change.
 - viii. Cost effective service that is efficient to run
 - ix. Utilise and improve existing infrastructure
 - x. Local solutions to managing waste locally, although this has to be done in the context of waste as an international business
- f) Consultation is currently being carried out until 14 December. The feedback will be collated and used to inform the final strategy, which will be taken to Executive Board in March 2023 for approval.
- g) There have already been approximately 1500 responses to the consultation and the majority of those responses are about how changes will affect individuals and what citizens will need to do differently. A key factor in success will be explaining the benefits to people so that they are encouraged to engage in it.

- h) A significant proportion of the current waste stream is food waste and there are carbon benefits to dealing with it anaerobically. It is likely that a small 5 litre caddy will be provided to households to collect raw and cooked food waste in their kitchens and a large container to be stored outdoors for weekly collection.
- i) In terms of kerbside recycling, up until now the approach in Nottingham has been to have one bin for all recycling as that makes it easier for households to engage with. The disadvantage of this approach is that there can be a lot of cross contamination and poor quality of output. The value of the output depends on its quality and therefore the Government wants more segregation of waste to take place by households to help increase the quality and value of the output, driving the market for recyclables.
- j) The options for kerbside recycling that are being consulted on are a twin-stream approach (one container for paper and card and another container for all other recyclables); and a multi-stream approach (a number of different containers for paper and card, glass, plastics/ cans/ tins).
- k) An options appraisal of these different approaches to kerbside recycling has been carried out. Modelling has shown that while there is little difference between the two in terms of recycling performance, the multi-stream approach would be the most cost-effective to implement and have the largest carbon benefit (due to lower sorting requirements). Other subjective quality criteria have also been applied and one of the main disadvantages of the multi-stream system is that it would be the most complex to introduce as it is the most different from current provision.

During subsequent discussion and in response to questions from the Committee the following points were made:

- l) Some Committee members commented that it may be hard to implement a multi-stream approach to kerbside recycling in some areas as not all households will have the space to accommodate multiple recycling containers. This could create resistance amongst some households. Assurance was provided that there will be a 5-10 year transition period in recognition of the potential for resistance to change and the need to educate the public on how to manage their waste. In the past, by collecting all waste put out for collection, Nottingham has not placed any responsibility on citizens for reducing the amount of waste that they generate. Other local authorities, including cities such as Bristol, have made these types of collection system work and have achieved over 45% of waste recycled. They have placed a significant focus on education and communication so that will be the first stage in the process in Nottingham. It is acknowledged that education will be resource-intensive.
- m) It will be helpful to have a more uniform approach to kerbside recycling across the country, particular for more transient populations such as students.

- n) A number of different options for type of collection container are being looked at.
- o) The logic is that if the changes are successful and more waste is recycled then there should be less waste in the residual bin so that could be smaller. A smaller bin may also encourage people to recycle more. However, it is acknowledged that there is a human element to this and reducing the size of bins may not be popular.
- p) Technology could be used to do a greater proportion of sorting materials however any contamination reduces the quality of output and its value. The value of the output cannot be below the cost of producing it otherwise there is no market for it. There is a particularly strong lobby from the paper industry that only want the very highest quality produce and will not accept any recyclables from the UK industry because of contamination with glass.
- q) While the Council understands the cost implication of different options, the specifics of funding, and particularly the support available from Government, are not yet known. Local authorities have been grouped with others that have similar populations, and groups with arrangements that are the most efficient will get the most funding. The rationale for this is that others have scope to make savings in efficiency before they need additional funding. Until the net burden on the Council is clarified, it will be built into the Medium Term Financial Plan over the next 5-10 years.
- r) There are statutory provisions for waste misdemeanours through, for example, use of fixed penalty notices. However, Nottingham has tended to focus on education rather than punishment and it is thought that lower participation levels are due to a lack of resource focused on education. There have been successful campaigns that have resulted in improved compliance but as soon as the direct resource is removed, compliance falls again so there will need to be sustained resource to support education and communication.
- s) While some households may choose not to engage, others, such as those with disabilities or support needs or who live in flats with limited space, may not be able to participate. Consideration needs to be given to their needs to ensure that the arrangements are inclusive. It is acknowledged that the primary system chosen will not suit every circumstance and the Service will be interested to hear feedback on tailoring services to be more inclusive, but the cost of bespoke arrangements has to be recognised. The Service is engaging with the Disability Involvement Group on these issues.
- t) The Service is seeking to learn from the experiences of other local authorities and working with organisations as such WRAP (Waste Reduction Action Programme) who work with lots of local authorities to implement waste solutions.
- u) Pilots of food waste, multi-stream and twin-stream collections will be carried out in three areas of the City from January to aid learning.

- v) A Committee member suggested that past approaches have created a level of dependency and citizens need to take responsibility for themselves and their own waste. It was suggested that, unless there are specific reasons for non-participation such as disability, consideration should be given to penalties for people who do not comply.

- w) The Service took advice from the Council's Corporate Consultation Team on the process and method for the consultation to ensure that it is as representative as possible.

The Committee commended the level of response received to the consultation so far.

Resolved to:

- (1) recommend that every effort is made to ensure that the consultation findings are representative of all communities across the City and that additional effort is made to engage with those who are often under-represented in consultation responses but who will be affected by the changes;**

- (2) respond to the consultation on the Municipal Resources and Waste Strategy with the following comments:**
 - a. changes to waste collection must be accompanied by education and communication to residents and partners, and there needs to be sufficient resources allocated to this**
 - b. the Council should take opportunities to communicate to Government that less efficient local authorities do not require lower levels of funding and, in some cases, the opposite may be the case**
 - c. smaller residual waste bins are not necessarily desirable and could have unintended consequences such as an increase in contamination**
 - d. thorough consideration must be given to the needs of all the different communities who live in the City so that there is a waste collection system(s) that works for everyone, including transient populations, people living in flats, people with disabilities or mobility issues etc. This consideration should be informed by learning from the pilot sites.**
 - e. consideration should be given to penalties for residents who persistently do not engage in the waste collection arrangements**

- (3) request that information on the findings of the pilot studies is provided to the Committee.**

Councillor David Mellen, Leader of the Council, gave an update on progress in meeting the Statement of Requirements issued by the Improvement and Assurance Board as part of the statutory intervention currently in place. He highlighted the following information:

- a) At the Improvement and Assurance Board meeting in October, the Board highlighted 31 of the 67 requirements that the Council needs to concentrate on, although all of the requirements need to be met.
- b) In mid-December the Board will be reporting to the Secretary of State for Levelling Up, Housing and Communities with recommendations regarding the Council's improvement journey and if further measures are needed.
- c) The Council is working hard to provide assurance, with the best possible evidence, on the areas that the Board has asked for. Some of these relate to councillor leadership while many of the actions fall within the responsibility of officers to deliver.
- d) A revised Together for Nottingham Plan was approved by Council on 31 October 2022. The Plan now includes the 67 requirements along with actions to respond to the recent Ofsted inspection of children's services and work to in-house management of the housing stock, in addition to reflecting the progress that has already been made.
- e) As previously agreed, a review of delegations to officers has been carried out and the threshold for decision making by officers has been increased to £250,000 assuming the decision is within agreed policy and budget.
- f) Work is continuing in relation to the Council's budget which is challenging given the significant adverse impact of the higher than expected pay award, inflation and rising energy costs. All local authorities are struggling with these challenges but the oversight of the Improvement and Assurance Board adds pressure to this.
- g) The Council has successfully recruited a permanent Corporate Director of Finance and Resources, who will start work in early 2023. This will mean that the Chief Executive and all four Corporate Directors will be permanent employees of the Council.
- h) Following consultation, the senior management restructure is being implemented.
- i) In relation to the recent Ofsted inspection of children's services, the Service's Improvement Plan is being refreshed and will be taken to the Children at the Heart Improvement Board for approval. The Children and Young People Scrutiny Committee is leading on scrutiny of this issue.
- j) A first draft of a Commercial Strategy has been developed and is currently being considered.

- k) Work is progressing well with the in-housing of management of the Council's housing stock. 15/16 consultation events are taking place with tenants, who largely seem more concerned about matters directly affecting their tenancy than governance issues. It is reassuring that the change in management does not appear to be a huge concern for tenants.

During subsequent discussion and in response to questions from the Committee, the following points were made:

- l) The Council is doing its best to meet the deadline of the end of November 2022, but whether this will be sufficient remains to be seen. The budget remains a particularly significant challenge, but councillors and officers are working hard on this.
- m) It is expected that Sir Tony Redmond will receive a response to his report to the Secretary of State by mid-late January 2023.
- n) Progress with transformation is monitored by the Transformation Board. The majority of savings from the Transformation Programme were always anticipated to be delivered in years 2, 3 and 4. However, so far in year 1 the Adults Transformation Programme has over-delivered while the Children's Transformation Programme has under-delivered. Savings from transformation will not be sufficient to address the current in-year budget gap but there is confidence that it will yield results in the longer term.
- o) There will be some budget pressure as a result of the senior management restructure. The largest area of additional spend is in relation to commissioning and procurement which has not been sufficiently resourced in the past despite the significant amount of spend that it deals with.
- p) It is not anticipated that there will be any specific support from Government to deal with the impacts of inflation. It seems unfair that there is support for households in managing their bills but not for organisations, such as local authorities, that have very large additional costs as a result of inflation and rising energy prices. In contrast, it seems more likely that additional cuts to local authority funding are being considered.
- q) The Council expects notification of the Government Settlement in the second or third week of December and a report will be taken to Executive Board on 20 December regarding the Council's budget with proposals for consultation.
- r) For each Improvement and Assurance Board meeting the Council produces a written update on progress. These written reports cover both improvements and outstanding issues to be addressed, and it is important that the Council doesn't solely concentrate on the negatives at the expense of the positives. Board meetings are now attended by all members of the Executive and Corporate Leadership Team so that clear and consistent information can be exchanged.

41 Recommendation Tracker

The Committee considered the responses received to the recommendations that it made at its meeting on 7 September 2022. In relation to the request that statistics on the number of fly tips per ward before and after the introduction of bulky waste charges are provided to the Committee, the Committee felt that it was not possible for the Service to accurately state whether there had been an increase or a decrease when the data provided compared the 12 months between 1 April 2021 – 31 March 2022 with the 7.5 months between 1 April 2022 and 12 October 2022. Therefore, the Committee asked for data to be provided for a comparable time period so that a more accurate comparison can be made.

Resolved to request that the number of fly tips per ward for the period between 1 April 2021 and 31 October 2022 and for the period between 1 April 2022 and 31 October 2022 is provided to the Committee.

42 Work Programme

The Committee considered its work programme for the remainder of municipal year 2022/23. The Committee noted that due to changes in the budget timetable, consideration of the Council's Budget 2023/24 now needs to take place in January 2023. Following on from discussion earlier in the meeting about development of the Municipal Resources and Waste Strategy, the Committee decided to consider the draft Strategy, along with responses to the consultation and information about how those responses have influenced the final strategy proposals, prior to approval by Executive Board, which is currently expected to be in March 2023. The Committee asked the Chair to work with officers to identify a date for this.

Resolved to:

- (1) change the start time of the meeting on 7 December to 2:30pm, to consider the following items:**
 - a. Together for Nottingham update from the Leader of the Council**
 - b. Community Asset Policy development**

- (2) consider the following items at the Committee's meeting in January 2023:**
 - a. Budget 2023/24**
 - b. Crime and Drugs Partnership**

- (3) consider the draft Municipal Resources and Waste Strategy, along with outcomes from the consultation, at a future meeting prior to its approval by Executive Board.**