

# Report

## Audit Committee

Part 1

28 May 2015

Item No 10

**Subject** **Standing Order 24 (Urgent Decisions) and Waiving of Contract Standing Orders: October 2014 to March 2015**

**Purpose** To inform Members of the use of Standing Order 24 and the Waiving of Contract Standing Orders in recent decisions taken by Cabinet and Cabinet Members.

**Author** Scrutiny Support & Research Officer

**Ward** General

**Summary** This report provides details of decisions on the use of Standing Order 24 (decisions taken urgently) and the Waiving of Contract Standing Orders for the above period.

In consideration of this report, Members are reminded that they are not questioning the merits of the decisions taken but are focussing why decisions were taken as urgent or why contract standing orders needed to be waived.

**Proposal** The Forum is asked to consider whether the reasons for the urgency/waiving of contract standing orders are properly reflected in the documentation supporting each decision. Members may wish to invite Cabinet Members to attend a meeting of the forum should they consider this not to be the case.

**Action by** Audit Committee

**Timetable** Immediate

This report was prepared after consultation with:

- Head of Law & Standards
- Chief Financial Officer
- Head of Human Resources & Policy
- Chief Internal Auditor

## Background

1. Details of the decisions taken by Cabinet/Cabinet Members during the above period are set out in the table below together with a commentary from the Chief Internal Auditor. Copies of the reports giving rise to the decisions are attached.

## Financial Summary

2. The cost implications of the decisions were set out in the original reports to the Cabinet Members. There are no cost implications of the Forum's consideration of this report

## Risks

3. Scrutiny of these matters by the Forum is an important means of ensuring that the reasons for the urgency or waiving of Contract Standing Orders were properly addressed in the decision making process and that decisions are transparent.

## Links to Council Policies and Priorities

4. To be good at what we do.

## Options Considered/Available. Preferred choice and reasons

5. The Forum is asked to consider whether the reasons for the urgency/waiving of contract standing orders are properly reflected in the documentation supporting each decision. Members may wish to invite Cabinet Members to attend a meeting of the forum should they consider this not to be the case.

## Comments of Chief Financial Officer

6. See attached reports

## Comments of Monitoring Officer

7. See attached reports

## Comments of Head of Human Resources, Policy & Performance

8. See attached reports

Subject	Decision & Date	Reason for Urgency/ Reason to waive Contract Standing Orders	Comments of Chief Internal Auditor
Ceasing of Winter Domestic Garden Waste Collection	<a href="#">107/14</a> 24 November 2014	Whilst the Cabinet Member had undertaken consultation with all Members prior to taking a decision, in view of the necessity to implement the action required quickly the decision was not subject to the "Call in" process under Standing Order 27	The report does not specifically state why the decision is required urgently, although the decision schedule appears to have been signed off by the Cabinet Member on the 24

			<p><b>November 2014 with an expected implementation date of the request being mid December 2014, which would indicate the need for urgency. If the report had been written earlier in the year then proper due process could have been followed. That said, members were given the opportunity to comment on the proposal, to which some did with the corresponding feedback being recorded.</b></p>
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**TO: ALL MEMBERS OF THE NEWPORT CITY COUNCIL**  
**Decision Schedule published on 24 November, 2014**

# *Decision Schedule*

## **Cabinet Member for Infrastructure**

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The Cabinet Member for Infrastructure took the following decision on 24 November, 2014.

Whilst the Cabinet Member has undertaken consultation with all Members prior to taking a decision, in view of the necessity to implement the action required quickly this decision is not subject to the "Call in" process under [Standing Order 27](#).

Reports relating to staffing issues are not circulated to all Members of the Council as part of the consultation/ call in processes.

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**I 07/14**

### **Ceasing of Winter Domestic Garden Waste Collections**

#### **Options Considered/Reasons for Decision**

The Cabinet Member considered a report proposing the stopping of garden waste collection for Newport residents during the Winter period 2014-15. Newport City Council currently collected garden green waste via a wheeled bin from its residents 365 days per year. During the winter months the amount collected reduced substantially and it would therefore make financial sense to stop the service during this period.

With the level of Welsh Government grant reducing and the requirement to recycle more continuing, there was a need to ensure that available funding was spent in the most effective way. Although it was estimated that this service would deliver approximately 225 tonnes green waste over this period the cost of £84,000 made it unviable. The lost 225 tonnes equated to approximately 0.34% off the Council's recycling figures which would be difficult to replace, it was expected that some of this material would find its way into the system via the Household Waste Recycling Centre.

It was proposed to cease the service from mid December 2014 until mid March 2015 which would mean releasing 12 Agency staff during this period. The proposal would result in a reduced service but residents would be advised that they could take their green waste to the Household Waste Recycling Centre site at Docks Way.

#### **Decision**

To stop the collection of domestic garden waste between mid-December 2014 and mid-March 2015.

#### **Consultation**

Monitoring Officer, Chief Financial Officer, Head of People & Transformation

All Members were consulted and provided with an opportunity to comment. Any comments received and

responses to them are set out in the Report.

**Implemented By: Interim Head of Streetscene**  
**Implementation Timetable: Immediate**

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COUNCILLOR K CRITCHLEY CABINET MEMBER FOR INFRASTRUCTURE

Date: 24 November, 2014

# Report

## Cabinet Member for Infrastructure

### Part 1

24 November 2014

Item No.1

<b>Subject</b>	<b>Ceasing of Winter Domestic Garden Waste Collections</b>
<b>Purpose</b>	To seek Cabinet Member approval to cease the collection of garden waste from Newport residents during the winter period 2014/15.
<b>Author</b>	Environmental Services Manager
<b>Ward</b>	ALL
<b>Summary</b>	Newport City Council currently collects garden green waste via a wheeled bin from its residents 365 days per year. During the winter months the amount collected reduces substantially and it would therefore make financial sense to stop the service during this period.
<b>Proposals</b>	To stop the collection of domestic garden waste between mid-December 2014 and mid-March 2015.
<b>Action by</b>	Head of Streetscene
<b>Timetable</b>	After the consultation period

This report was prepared after consultation with:

- Head of Finance
- Head of Law and Standards
- Head of People and Transformation

**Signed:**

## 1.0 Background

- 1.1 As part of the Council's waste and recycling services Newport City Council collects domestic garden green waste via wheeled bin from its residents.
- 1.2 The Council collects around 8,000 tonnes of material through this system adding approximately 12% to its recycling/composting figure.
- 1.3 The Council utilises 4 refuse vehicles and 12 staff to deliver the service over the full year.
- 1.4 As would be expected the majority of this material is collected during the spring and summer months when residents are working in their gardens.
- 1.5 The Welsh Government supply Newport City Council with a recycling grant every year, unfortunately the level of grant has been reducing over recent years despite the need to increase recycling to avoid fines.

## 2.0 Current Position

- 2.1 With the level of WG grant reducing and the requirement to recycle more continuing, there is a need to ensure that the available funding is spent in the most effective way.
- 2.2 Although it is estimated that this service will deliver approximately 225 tonnes green waste over this period the cost of £84k makes it unviable.
- 2.3 The lost 225 **tonnes equates to approximately 0.34% off our recycling figure above, which will be** difficult to replace, however it is expected that some of this material will still find its way into the system via the Household Waste Recycling Centre.

## 3.0 Proposal

- 3.1 It is therefore proposed to cease the service from end-December 2014 until mid-March 2015. This will mean releasing 12 agency staff during this period.
- 3.2 This proposal will result in a reduced service however residents will be advised that they can take their green waste to the HWRC site at Docks Way if required.

## 4.0 Financial Summary

	Year 1 (14/15) £	Year 2 £	Year 3 £	Ongoing £	Notes including budgets heads affected
<b>Savings</b>	84,000	See MTRP			
<b>Costs</b>	10,000				Reduced income to site, leaflets printing and delivery costs.
<b>Net impact on budget</b>	74,000				

## 5.0 Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
<b>Overspending the budget</b>	H	H	Reducing spend where possible	Environmental Services Manager
* Taking account of proposed mitigation measures				

## 6.0 Links to Council Policies and Priorities

- To make our city a better place to live for all our citizens
- To be good at what we do
- To work hard to provide what our citizens tell us they need

## 7.0 Options Considered/Available

7.1 To approve the proposals outlined in the report.

7.2 To not accept the proposals and overspend the budget.

## 8.0 Preferred Choice and Reasons

8.1 Option 7.1 above, this will help address the potential overspend and ensure funds are spent in the most effective way.

## 9.0 Comments of Chief Financial Officer

9.1 The recycling service is under increasing pressure due to year on year reductions in grant funding despite the need to increase recycling. Due to the level of green waste collected during this time, this proposal will have minimal impact upon recycling rates between the period of mid-December to mid-March. It is, however, hoped that some of this material will still find its way into the system via the Household Waste Recycling Centre.



As the Authority is under increasing financial challenge no service area has the Authority to overspend against grants. This proposal will support effective utilisation of the grant awarded and will ensure outcomes are consistent with prescribed recycling targets.

## **10.0 Comments of Monitoring Officer**

10.1 Although the Council has a duty to collect household waste under the Environmental Protection Act, there is a discretion as to the timing and frequency of any collections. In addition, under Controlled Waste Regulations, the Council has a discretion to charge for garden waste collection. Therefore, the Council can suspend the garden waste collection service from November to March if it is not economically viable to maintain the service during the Winter months. This will, however, have an impact on the Council's recycling targets. In terms of the public sector equality duty, the Cabinet Member will also have to have regard to the potential impact of this reduction in service on particular sections of the community, such as the elderly, who may be unable to take their garden waste to the Recycling Site. There should be no staffing implications as the waste operatives who would be laid off during this period are agency workers rather than direct employees of the Council.

## **11.0 Comments of Head of People and Transformation**

11.1 • There are no direct HR implications in releasing agency workers from their assignments. However, the use of agency workers should be managed in line with the Council's Agency Worker Guidance/Agency Worker Regulations.

## **12.0 Local Issues**

12.1 Reduced service.

## **13.0 Comments from Non Executive Members**

### **Councillor Whitehead**

Not really sure this will go down well with residents across the city as people still do garden maintenance throughout the winter season. What are they supposed to do with their garden waste?. Drains and small culverts will still need to be cleared in gardens to ensure localised flooding doesn't occur.

### **Response from Cabinet Member and Interim Head of Streetscene**

We recognise that residents will still be using the garden waste bin over the winter months and the leaflet that will be delivered asks residents to continue to fill the bin in readiness for March collections. We appreciate that this years unseasonal good weather has extended the growing season but we believe the leaf fall should occur prior to residents final collection.

### **Councillor Fouweather**

I can see the logic behind this proposal but I am concerned that stopping the

collection until mid-March is too long. I would like to suggest that the service resumes at the end of February as residents begin tidying their gardens once again around this time.

Would the cabinet member confirm that cardboard will still be collected during this period and as the cardboard is collected in the same vehicle as the garden waste could he tell me how this will result in a reduction of agency staff as you will have the same number of vehicles on the road?

**Response from Cabinet Member and Interim Head of Streetscene**

Thank you for agreeing with the rationale for these service changes. We have analysed the tonnage data over the last 5 years and it shows that tonnages do not begin to rise until late March early April and is usually in line with Easter holidays. The card and garden waste have been collected on separate vehicles since the introduction of bags for card. The leaflet that will be delivered to all households should this proposal be accepted explains that cardboard will continue to be collected throughout the Winter and the four vehicles /crews involved will continue to collect card on the alternate weeks to the household waste collections.

**Councillor Delahaye**

I fully agree with this. It is one of the ways I would have suggested towards our budget cuts.

Dated: 24 November 2014