

## **SUGGESTED QUESTIONS FOR SCRUTINY MEMBERS: CUMBRIA STRATEGIC WASTE PARTNERSHIP (CSWP)**

The following suggested questions are intended to assist Members with questioning the partnership. Each question is followed by a very short explanation (in italics) of the background to the question. These questions are not intended in any way to limit the questioning by Members.

References are made in the text to the Audit Commission report (WM2) and the framework document (WM1) which are included in the circulation to Members.

### Structure and Operations of Cumbria Strategic Waste Partnership (CSWP)

#### **1. Is the CSWP equipped to be the partnership to deliver an effective joint waste strategy for Cumbria?**

**What barriers to progress exist and what steps are you taking to overcome them?**

*The Audit Commission implies in its report that a number of barriers to progress exist – including the way the partnership has been set up, the level of trust between members of the partnership and, perhaps most importantly of all, the practical and political support for the work of the partnership.*

### Political Support for the Partnership

#### **2. Is the partnership getting the political direction and support it needs from all its Members and from the different councils around the County?**

*Although it is generally accepted that waste is moving up the political agenda in Cumbria, it is not clear that this is fully reflected in the CSWP political activity. The Audit Commission report states that “whilst councils have nominated their most senior councillors within this field to be their representatives on the partnership board, those individuals have not always attended the meetings and the level of individuals’ contribution to the debate has been mixed.” (p7) The report goes on: “The revised partnership structure has only recently been endorsed by all districts, indicating a lack of urgency in advancing the position.”*

### Pace of Progress

#### **3. Given that this is truly a problem facing all of Cumbria, why has progress since the first Audit Commission report in 2004 not been more rapid?**

*Although the Audit Commission report makes it clear that there is more shared ownership of the problems since its inspection in 2004, it*

*concludes that there has been “a lack of tangible progress.” (p18) If this is the case one year on from the full inspection, then the question must be: why should we be confident that future progress will be more rapid than previously?*

**4. Are the structure and terms of reference of the partnership adequate to support rapid decision-making?**

*The Audit Commission note that “the terms of reference of the board, which has no authority delegated to it by the partner councils, means that all key decisions have to be referred back to all seven authorities. This is likely to cause delays and leave the Board frustrated by its own limited power to move things forward.” (p7)*

Resources for the Partnership

**5. Given the need for rapid progress in waste policy, is there not a case for all the authorities of Cumbria to provide more practical assistance and greater resources so that the partnership can progress more quickly?**

*Members will be aware that unless rapid progress is made in diverting waste away from landfill, Cumbria County Council will face large fines – up to £10million in 2008/2009 at current projections.*

*There are certainly question marks over the resources available to the partnership. Copeland Borough Council had reservations about agreeing the framework document and these included that “There is a risk throughout that there is insufficient officer and financial capacity. There are acknowledged capacity issues with the County Council and to lesser or greater degrees the same applies to the districts. In order to be achievable financial and human resources need to be commensurate with the task ahead.”*

Accountability and Public Face of the Partnership

**6. Do you accept that the partnership could benefit from being rather more transparent and accountable?**

**What plans are there to report progress with the partnership’s work directly to the local authorities of Cumbria? Perhaps an annual report should be produced?**

*The level of feedback from Members taking part in the Partnership to their individual councils appears to be patchy. Certainly, anecdotal evidence suggests that many Members in the district councils are unclear about the purpose of the partnership and are not informed of progress. As the Audit Commission concluded, “greater transparency is needed for the districts to understand and be part of the process.” (p17) There has been some*

*suggestion of producing an annual report that could be considered by the individual authorities making up the partnership.*

**7. What plans are there for a more public-facing partnership – for example, a website, publications and publicity campaigns with supporting information?**

*Relatively little information about the work of the partnership is available. Inevitably, this reduces the extent to which the work of the partnership is visible and supported by the public.*

**8. Are you confident that the Framework Document is adequate to drive rapid progress within the County? When will a full waste strategy including detailed implementation plans and a full set of targets be finalised?**

*A key part of progress in waste management in the County is an agreed and ambitious Municipal Waste Strategy. This is a public document and ensures that the measures taken in waste management adhere to a strategic plan. At present, a framework document exists (WM1) but this contains relatively few targets, firm commitments or a timetable to monitor progress. The Audit Commission noted that “whilst all parties are agreed that the framework is to be replaced by a full-blown strategy document, no timetable or responsibility for that development has been agreed.”(p12)*

Consultation and Education

**9. What plans are there for public consultation on waste policy and the choice of technologies?**

*The framework document includes a plan for a ‘Communications Strategy’ which will “provide opportunity for dialog with the public”. But the Audit Commission state that “a serious weakness is the omission of a clear strategy for consulting residents and other stakeholders about the technology to be used for waste disposal, though the public will be consulted on the siting of facilities as part of the evolution of the minerals and waste development framework.” (p18)*

**10. When will the Cumbrian public start hearing the “hard messages” about waste?**

*Within the framework document, no timetable for the production and implementation of the Communications Strategy is given. Given the need to focus on waste minimisation, there will clearly be a need to start communicating the ‘hard messages’ to the public about the need for them to take action to reduce the amount of waste produced. The Audit Commission make clear their disappointment that councils have not already started this process.*

## Waste Minimisation

### **11. What target over what timescale will the partnership be setting for waste minimisation across the County?**

*Cumbria may now be the worst-performing county in England for the amount of waste collected per head. In 2003/2004, Cumbria's 'waste collected per head' was the second highest in the country and unaudited data for 2004/2005 shows a 9 per cent rise. Clearly, waste minimisation efforts require urgent and sustained support to start reversing this trend.*

## Consistency and Joint Working

### **12. How much of an issue is consistency in collection arrangements across the County?**

*If the Cumbrian waste problems are to be effectively tackled then the practical arrangements of the Waste Collection Authorities (WCAs – the District Councils) and the Waste Disposal Authority (WDA – the County Council) need to mesh. There is, therefore, a need for some consistency in the arrangements made by each District Council.*

*The Audit Commission's report stated "...it is not yet clear how collection and disposal arrangements will align. For example, there is no agreement on what the waste streams should be – should cardboard be collected co-mingled with paper, co-mingled with garden waste, or separately? Consistency on the choice of the waste streams can lead to economies of scale in the downstream activities and to better prices for recyclates, due to increased tonnage of a common mix." (p7)*

### **13. What steps are you taking to ensure that learning and practice within the County are shared more?**

*The Audit Commission noted that "while there are a few examples of transfer of ideas within the county (such as part-emulation of Eden DC's two bags limit), there is currently no systematic capture and sharing of learning across all the Cumbrian councils" (p15). The report goes on to highlight some of the things that are not being tackled on a systematic basis: "cardboard recycling, sourcing recyclates markets, reducing councils' own waste and re-use schemes are either not being carried through in any council or, if, implemented in one, are not being adapted for use by all."*

## Fines

### **14. What is the likely scale of fines that Cumbria will experience under the Landfill Allowance Trading Scheme (LATS)? Have you resolved the queries highlighted by the Audit Commission?**

*The Audit Commission highlighted that the penalty would be £3.4 million in 2006/7, rising to £10 million in 2008/9. The report goes on to point out that "these expenditures do not feature in the medium-term financial plan, but a July 2005 report to the County Council's cabinet noted indicative costs of £1 million in 2006/7 and £2 million in 2007/8. However, these figures are not based on realistic estimates of the likely costs." (p9)*

### **15. What steps are being taken to avoid or reduce the fines? What potential is there to avoid fines by trading?**

*The Audit Commission highlight that "there are still only discussions, rather than firm project plans, for developing large-scale projects to limit penalties for exceeding BMW landfill allocations. The County Council has not developed a strategy for trading in landfill allocations to mitigate its potential fines." (p18) Presumably, given the scale of potential fines, it would be worth using some resources to determine an approach to trading to bring maximum advantage to the County. The trading scheme allows for authorities to trade with others – so Cumbria could purchase credits from an authority which did not require all the credits it had been allocated. In this way, the overall financial penalty to the county could be reduced.*

## Procurement of a Strategic Partner

### **16. What is the timetable for appointing the strategic partner? To what extent is work being held up until the partner has been appointed?**

*At present, bids from two potential partners are being studied. Once appointed, the strategic partner will supply:*

- *New waste treatment plants*
- *New infrastructure*
- *Minimisation and education campaign*
- *Service marketing*
- *Community liaison*
- *Materials marketing plan*

### **17. To what extent might the choice of partner determine what technologies we end up employing to deal with waste?**

*As Members will be aware, the choice of waste technologies and the siting of facilities is always controversial. As such, any decision about which technology to employ at this stage could be problematic if ultimately it proves to be publicly unacceptable.*

- 18. Given that the contract is 25 years long, how will it be ensured that flexibility is retained throughout its duration? Are periodic reviews to be included?**

*Within a 25 year period, a number of factors could influence the way in which Cumbria wished to deal with its waste. For example, the composition of the waste stream might change, new technologies may emerge etc. If flexibility is retained within the contract then the county will be better able to respond to any changes of this sort..*

- 19. For the chosen partner, is there likely to be any tension between the provision of the waste minimisation part of the contract and the waste treatment part?**

*Some waste treatment facilities need consistent and reliable flows of waste to make them profitable. By implication, this could mean that the partner was less concerned about waste minimisation efforts as, if successful, they could reduce waste flows and result in inefficient waste treatment facilities.*

- 20. To what extent will the partner rely on the trade waste stream to keep up tonnages to the facilities? Could this act as a disincentive to the minimisation of trade waste?**

*Although the focus of the waste strategy and work is primarily focussed on municipal waste, this should not be at the expense of other waste streams. Indeed, the guidance from DEFRA on developing Municipal Waste Management Strategies states that “while it is expected that most Strategies will initially focus on municipal waste, consideration should be given to whether it is appropriate to include other wastes within the scope of the strategy.”*

#### Recycling Credits

- 21. Has the usefulness of recycling credits run out in Cumbria? What sort of alternative scheme could be used?**

*Recycling credits are a very simple mechanism by which the Waste Disposal Authority (WDA, the County Council) pay the Waste Collection Authorities (WCAs, the District Councils) for each tonne of waste recycled. The amount paid is down to the WDA but should represent the cost saved to the WDA for not having to dispose of the waste. In Cumbria, this cost varies by district.*

*Changes are being made to the recycling credits scheme and, from April 2006, Government will encourage local authorities in two-tier areas to take the opportunity to agree alternative arrangements to recycling credits where these may be better suited.*