

Purpose: To update Members of this Committee of the joint scrutiny work taking place on the Cumbria Strategic Waste Partnership.

The joint scrutiny committee met again in July. The report arising from that meeting is attached, as is the response from the CSWP.

As you will note, while it is acknowledged that progress has been made on several fronts, Members were disappointed that several assurances received in March had not been delivered and requested a further meeting in November.

In the interim, it is understood that the Partnership did receive over £390,000 funding from the Department for the Environment, Food and Rural Affairs for a communications campaign on the reduce, reuse, recycle agenda which is expected shortly.

It is also understood that, further to delays to secure Government funding, the work required to draw up a waste management strategy would appear to have been underestimated and that this will now appear April/May 2007. As part of the process, an 'options' paper should also appear shortly.

If not as quickly as Members would like, it would appear that progress is being made. All District Councils have now agreed to pool resources although policy issues will continue to be referred back to each Council. Defra has recently commended the CSWP for its partnership working.

Members will decide in November whether they wish to continue to monitor the Partnership as closely or whether they are now content to monitor at arm's length with the option to come back to the table if they feel the need.

Jane Murray
Scrutiny Support Officer
October 2006

CUMBRIA SCRUTINY NETWORK

**WASTE MANAGEMENT
WORKING GROUP**

3rd Report on the
Cumbria Strategic Waste Partnership

August 2006

1. Introduction

- 1.1. A joint scrutiny working group of Members from each Cumbrian Local Authority was established in 2005 to investigate concerns raised in an Audit Commission report¹ about the Cumbria Strategic Waste Partnership (CSWP) and to address issues of partnership working with respect to accountability and visibility to both the public and to Members of individual authorities.
- 1.2. A first Scrutiny report² was issued in January 2006, echoing many of the concerns raised by the Audit Commission, and urging action on a number of issues, prompted largely by concern about the level of potential fines which might be levied on Cumbria for a failure to reduce the amount of residual waste going to landfill sites.
- 1.3. A second meeting with the CSWP was held on 22nd March 2006. Members were encouraged by a number of assurances from the CSWP that specific actions, which would help to address some of their concerns, would be delivered during April, May and June 2006.
- 1.4. However, Members remained concerned that greater emphasis needed to be given to the importance of effective communications and devolved decision-making in the work of the CSWP. These concerns formed the basis of two recommendations made in the second Scrutiny report³. In April 2006 this report was circulated to the CSWP and to the Overview & Scrutiny Committees of each individual authority. In general the individual scrutiny committees have been supportive of the findings and recommendations of the working group, and in some instances have referred the report to Cabinet. Cumbria County Council Cabinet has invited the Chair to present the report at their meeting in September 2006.

2. Monitoring

“Scrutiny is an ongoing process. Stated outcomes should be monitored and re-addressed where expectations have not been met”⁴.

- 2.1. Members held a third evidence session with the CSWP on 19th July 2006 to review progress against the milestones identified at the previous meeting.
- 2.2. The following table summarises the findings of the Panel:

¹ Waste Management Follow-up: Cumbria Local Authorities Audit 2005-06, September 2005

² Cumbria Scrutiny Network: Waste management Working Group – Report on the Cumbria Strategic Waste Partnership, January 2006.

³ Cumbria Scrutiny Network: Waste management Working Group – 2nd Report on the Cumbria Strategic Waste Partnership, April 2006.

⁴ The Good Scrutiny Guide - Centre for Public Scrutiny.

Issues identified at meeting on 22 nd March 2006		Status on 19th July 2006
Milestone	Delivery Date	
The Resource Cumbria web site will go live and public internet access to Partnership Agendas and Minutes will be organised.	By 1 st April 2006.	Resource Cumbria website went live on 1 st April 2006. CSWP Agendas & Minutes are not available via internet due to problems with "translating" the original documents into a suitable format.
A policy officer will be appointed to the Partnership to help drive forward the partnership agenda and provide a co-ordinating role between the local authorities.	By end of May 2006.	Interviews held in July 2006. Selected candidate expected to take up appointment in August 2006.
A 15-page draft summary of the revised waste management strategy will be produced.	By the end of April 2006.	Deferred until August 2006 due to DEFRA withholding funding. This delay was because CSWP and DEFRA could not agree on a preferred consultant to undertake the work. CSWP wanted to work with their existing consultancy firm whereas DEFRA had a list of preferred firms for this work. CSWP are now working with the DEFRA appointed consultants. This is due for release on 24 August 2006 and a copy will be circulated to all members of the Scrutiny working group.

Issues identified at meeting on 22 nd March 2006		Status on 19th July 2006
Milestone	Delivery Date	
Public consultation on the waste management strategy will take place not just on the web, but with Parish and Town Councils, WIs, Neighbourhood Renewal Forums etc	By August/September 2006 (timescale given for completion of strategy was 5-6 months)	Deferred until the autumn due to the delay with publication of the revised waste management strategy.
Public consultation on the potential sites for waste treatment/disposal or recycling will take place as part of the consultation exercise for Cumbria County Council's Mineral and Waste Disposal Framework (MWDF).	By June/July 2006.	In progress. The MWDF consultation is being managed by Cumbria County Council's planning team. CSWP are not directly involved in this exercise.
New terms of reference for the partnership will come into effect.	1 st April 2006.	These have been in place since April. CSWP believe that they are effective.
The Communications Strategy will be published in its final form.	1 st April 2006	This forms part of the bid submission to the DEFRA Behavioural Change Local Fund for communications work in relation to recycling initiatives. CSWP advise that there is no separate communications strategy document. A copy of the DEFRA bid has been circulated to all members of the Scrutiny working group.

3. Recommendations

The following table summarises the recommendations from the previous two scrutiny reports and also provides current scrutiny comment following the evidence session held on 19th July.

	SUMMARY OF RECOMMENDATIONS	JOINT SCRUTINY COMMENT JULY 2006
1	<p>The Partnership We are not convinced that the partnership is currently fit for purpose. The remedy must consist both of greater leadership at the centre of the partnership and a committed contribution from all members of the partnership.</p>	Although Members recognise that progress has been made in some areas, Members continue to believe that the CSWP could provide greater leadership and direction of the Cumbria-wide waste problem.
2	<p>Waste Strategy We believe that it should be a top priority of the partnership to develop a strategy as quickly as possible.</p>	This remains a significant area of concern due to the continued delays in developing and publicising a waste management strategy, and the lack of a clear, consistent message for the public across Cumbria. This should be the overriding focus of a strategic body such as the Cumbria Strategic Waste Partnership.
3	<p>Public Face and Accountability The CSWP must address the information flows about its work....Further, with no waste strategy and no annual report produced, the accountability of the partnership is very limited. This issue will become more important still if the partnership finds ways of becoming more autonomous in its work.</p>	There is little evidence of any improvement by the CSWP in the handling of the information flows about its work. Concerns about the public accountability of the CSWP remain valid.
4	<p>Resources The CSWP should examine the potential for employing dedicated staff to enable more rapid progress with the partnership's work.</p>	Members noted that a dedicated support officer would be appointed in August 2006. See also comments at recommendation 8.
5	<p>Decision Making We urge the partnership to examine mechanisms to make the partnership more autonomous.</p>	See comments at recommendation 9.
6	<p>Pace of Progress The partnership must take ownership of Cumbria's waste problem and provide the drive and leadership necessary to secure the change of pace required.</p>	Members believe that CSWP need to embark on an accelerated, urgent programme to catch-up and meet their goals and deliver the benefits they have identified.
7	<p>Minimisation Focus The partnership must start pursuing waste minimisation measures and messages throughout the County.</p>	Members expressed concern that in 2005/06 all Cumbrian authorities were in the worst performing quartile for BVPI 84(a) – Number of kilograms of waste

		collected per head of population. They noted the CSWP view that the underlying data generating the BVPI was erroneous. They were encouraged to learn that CSWP was proposing to establish an officer project team to determine the underlying causes for this performance standard; with findings due in March 2007.
8	<p>Communications</p> <p>A communications professional dedicated to the CSWP should be engaged by the Partnership to drive forward the communications strategy. This is in addition to the policy officer position.</p>	<p>Members remain convinced that effective communications are critical to the success or failure of the CSWP; and that until this was adequately resourced the CSWP would lack a coherent message or visible presence.</p> <p>Members were disappointed that the CSWP had chosen to disregard this recommendation and that despite previous assurances <i>“that the job description of the Partnership Officer would cover the role of the communications expert”</i> in response to questioning on 19th July the CSWP indicated that this was no longer the case and that they would continue to look for support from the communications teams in each of the local authorities.</p>
9	<p>Accountability & Decision Making</p> <p>That the CSWP further considers how the Cumbrian Authorities might devolve decision-making.</p>	<p>Members were encouraged to learn that that all Cumbrian authorities were developing a similar model to that of Copeland to allow substitute membership and delegation of decision-making on pooled resources.</p> <p>CSWP subsequently confirmed that most Cumbrian authorities have now adopted the Copeland model. The position at Carlisle and Cumbria County Council is still to be advised.</p>

4. Conclusions

4.1. Members had hoped to be able to conclude their scrutiny of the CSWP following the meeting on 19th July but on the evidence presented they agreed that they should continue their work until they were satisfied that the CSWP was fully on course. They agreed:

- to hold a further meeting with the CSWP in November 2006 to receive updates on all of the above;

- that the 3rd Report should be sent to the CSWP, with a request that any comments should be relayed as a formal response from the Chairman on behalf of the partnership;
- that the 3rd Report should be sent to each of the relevant Scrutiny Panels within Cumbria with the request that it is brought to the attention of the relevant executive bodies;
- that the 3rd Report should be sent to the Audit Commission for information.

Members of the Scrutiny Waste Management Working Group

Allerdale Borough Council	Cllr Jeff Gardner
Barrow Borough Council	to be appointed
Carlisle City Council	Cllr Trevor Allison
Copeland Borough Council	Cllr Mrs Anne Bradshaw (Chair)
Cumbria County Council	Cllr Cam Ross
Eden District Council	to be appointed
South Lakeland District Council	Cllr Mrs Gill Cranwell

13 Keswick Avenue
Barrow-in-Furness
Cumbria
LA14 4LL

27th September 2006

Alan Gunston
Scrutiny Manager
Scrutiny Unit
Nisi Prius Building
The Courts
Carlisle

Dear Alan,

3rd Scrutiny report

Thank you for letting us have a copy of the 3rd Scrutiny Network report which was discussed at the Cumbria Strategic Waste Partnership on the 20th September.

A list of the issues raised and a response comment is attached to this memo. In broad terms the response is as follows;

- Following the Cumbria Scrutiny Network suggestions on accountability and decision making we have all made progress regarding substitute membership and delegation of decision making on pooled resources.
- We share the concerns of the Cumbria Scrutiny Network on waste arisings in Cumbria and have put in place a team to identify poor performing areas, statistical anomalies and good practice elsewhere. We have also introduced a permit scheme at all Household Waste Recycling Centres.
- Leadership on waste issues will, in future, be through the strategic partner procurement process. The CSWP has been heavily involved in the evaluation and decision making process so far and the proposals agreed with the bidders mean that the CSWP will have a lead role in managing the contract for the foreseeable future.
- We believe that the partnership is fit for purpose. As well as the District Councils and the County the partnership has representatives from the community sector i.e. Northwest Waste Forum, the business sector, i.e. Envirolink Northwest, from Government Office Northwest, from the Environment Agency and from ENCAMS.

- We now employ our own project officer who is jointly funded and works on mutually beneficial project work. As far as we have been able to ascertain this is the only officer in the North West employed by a waste partnership.
- The communications strategy document for the CSWP was discussed at the meeting on the 20th. It details the extent of the communication activity which has already taken place, that which is planned and the events attended and the campaign costs.
- The confirmation of the WRAP funding of £392k is justification for the time and effort that went into the application process. The two year funding programme will cover;
 - The recruitment of recycling rangers,
 - Baseline assessment and monitoring
 - Telephone help line
 - Radio and newspaper adverts
 - Events for the targeted groups

We believe that this is now a true partnership (as described by Defra) which is working well and growing and that your reports tend not to reflect the achievements of the CSWP to date.

In light of the response provided you may want to reconsider whether it is necessary to meet again in November.

Yours sincerely



PP Jack Richardson
Chair, Cumbria Strategic Waste Partnership

Cllr Mrs M Thomson	Chair, Overview & Scrutiny (Community & Environment)	Barrow
Cllr Mrs M Snaith	Chair, Corporate Scrutiny Committee	Allerdale
Cllr Earp	Overview & Scrutiny Committee	Carlisle
Cllr C Nineham	Chair, Overview & Scrutiny Management Board	CCC
Cllr H Sawrey-Cookson	Chair, Scrutiny Committee	Eden
Cllr S Collins	Chair, Overview & Scrutiny Coordination Board	SLDC

Issues identified at meeting on 22 nd March 2006		Status on 19th July 2006	Comment
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The Resource Cumbria web site will go live and public internet access to Partnership Agendas and Minutes will be organised.	By 1 st April 2006.	Resource Cumbria website went live on 1 st April 2006. CSWP Agendas & Minutes are not available via internet due to problems with "translating" the original documents into a suitable format.	<i>This can now be added to the website. However the minutes of the meetings are prepared by Member Services and tend to be couched in a certain style. The partnership officer will be tasked in future meetings with providing a synopsis which will be more 'public friendly'.</i>
A policy officer will be appointed to the Partnership to help drive forward the partnership agenda and provide a co-ordinating role between the local authorities.	By end of May 2006.	Interviews held in July 2006. Selected candidate expected to take up appointment in August 2006.	<i>Adrienne Calsey was appointed as Partnership Officer and now works out of the South Lakeland District Council Offices.</i>
A 15-page draft summary of the revised waste management strategy will be produced.	By the end of April 2006.	Deferred until August 2006 due to DEFRA withholding funding. This delay was because CSWP and DEFRA could not agree on a preferred consultant to undertake the work. CSWP wanted to work with their existing consultancy firm whereas DEFRA had a list of preferred firms for this work. CSWP are now working with the DEFRA appointed consultants. This is due for release on 24 August 2006 and a copy will be circulated to all members of the Scrutiny working group.	<i>The CSWP bid for additional funding for the Strategic Environmental Assessment section of the re-write of the JMWMS, which was successful. Defra specified a particular consultant and as the funding was too good to turn down (£45,000) we worked with them to get them up to speed. The Draft scoping report for the Strategic Environmental Assessment was agreed by the CSWP at their meeting on the 30th August. This is an integral part of the development of the final strategy. Consultation on the scoping report is about to begin with a view to having a preferred options workshop w/c 27th November. Once that has been completed the consultation on the draft JMWMS can begin, @ w/c 8/1/07.</i>

		Status on 19th July 2006	
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Public consultation on the waste management strategy will take place not just on the web, but with Parish and Town Councils, WIs, Neighbourhood Renewal Forums etc	By August/September 2006 (timescale given for completion of strategy was 5-6 months)	Deferred until the autumn due to the delay with publication of the revised waste management strategy.	<i>There has been no delay; only an acceptance that free external funding to assist the CSWP was worth having.</i>
Public consultation on the potential sites for waste treatment/disposal or recycling will take place as part of the consultation exercise for Cumbria County Council's Mineral and Waste Disposal Framework (MWDF).	By June/July 2006.	In progress. The MWDF consultation is being managed by Cumbria County Council's planning team.	<i>CSWP are not directly involved in this exercise.</i>
New terms of reference for the partnership will come into effect.	1 st April 2006.	These have been in place since April. CSWP believe that they are effective.	<i>No further comment</i>
The Communications Strategy will be published in its final form.	1 st April 2006	This forms part of the bid submission to the DEFRA Behavioural Change Local Fund for communications work in relation to recycling initiatives. CSWP advise that there is no separate communications strategy document. A copy of the DEFRA bid has been circulated to all members of the Scrutiny working group.	<i>The bid to WRAP for the Behavioural Change Fund was successful and fully funded, £392k of free external funding. The CSWP have already begun the delivery of the project plan.</i> <i>In addition the Marketing Team from Client Services have developed a draft communications strategy as an organic document to provide a vehicle for all partners in the CSWP to manage communications both internally and externally.</i>

			<p>The Strategic Service Partner Steering Group will be working with the preferred bidder on a specific communications package for that project. Council to confirm on the 14th September.</p>
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1. Recommendations

The following table summarises the recommendations from the previous two scrutiny reports and also provides current scrutiny comment following the evidence session held on 19th July.

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1	<p>The Partnership We are not convinced that the partnership is currently fit for purpose. The remedy must consist both of greater leadership at the centre of the partnership and a committed contribution from all members of the partnership.</p>	<p>Although Members recognise that progress has been made in some areas, Members continue to believe that the CSWP could provide greater leadership and direction of the Cumbria-wide waste problem.</p>	<p><i>The CSWP are totally involved in the letting of the 25 year contract for waste management activity in Cumbria. They have been involved in the evaluation process and have unanimously endorsed the recommendation to County Council.</i></p>
2	<p>Waste Strategy We believe that it should be a top priority of the partnership to develop a strategy as quickly as possible.</p>	<p>This remains a significant area of concern due to the continued delays in developing and publicising a waste management strategy, and the lack of a clear, consistent message for the public across Cumbria. This should be the overriding focus of a strategic body such as the Cumbria Strategic Waste Partnership.</p>	<p><i>The CSWP are focussed on the delivery of a new JMWMS and the large amount of funding required to make it happen. LATS avoidance is just on of the areas that competed for limited funding resources.</i></p>
3	<p>Public Face and Accountability The CSWP must address the information flows about its work....Further, with no waste strategy and no annual report produced, the accountability of the partnership is very limited. This issue will become more important still if the partnership finds ways of becoming more autonomous in its work.</p>	<p>There is little evidence of any improvement by the CSWP in the handling of the information flows about its work. Concerns about the public accountability of the CSWP remain valid.</p>	<p><i>Resource Cumbria has invested joint funding in marketing campaigns on public transport and radio throughout the county. In addition adverts have been carried in specialist commercial sector publications and Your Cumbria always contains a waste related article now.</i></p>
4	<p>Resources The CSWP should examine the potential for employing dedicated staff to enable more rapid progress with the partnership's work.</p>	<p>Members noted that a dedicated support officer would be appointed in August 2006. See also comments at recommendation 8.</p>	<p><i>Officer in post.</i></p>
5	<p>Decision Making We urge the partnership to examine mechanisms to make the partnership more autonomous.</p>	<p>See comments at recommendation 9.</p>	<p><i>See below</i></p>

6	<p>Pace of Progress The partnership must take ownership of Cumbria's waste problem and provide the drive and leadership necessary to secure the change of pace required.</p>	<p>Members believe that CSWP need to embark on an accelerated, urgent programme to catch-up and meet their goals and deliver the benefits they have identified.</p>	<p>The Waste Strategic Partnership is now recognised as a genuine partnership between the County Council and 6 autonomous District Authorities. We are working towards harmonisation of working practices in relation to waste collection and recycling and the necessary public relation etc activities, but we have to recognize that the District Councils are at different stages in relation to their existing contracts, and also that progress between autonomous authorities is achieved by co-operation and persuasion. We believe that the partnership is fit for purpose. As well as the District Councils and the County the partnership has representatives from the community sector i.e. Northwest Waste Forum, the business sector, i.e. Envirolink Northwest, from the Government Office Northwest, from the Environment Agency and from ENCAMS.</p>
7	<p>Minimisation Focus The partnership must start pursuing waste minimisation measures and messages throughout the County.</p>	<p>Members expressed concern that in 2005/06 all Cumbrian authorities were in the worst performing quartile for BVPI 84(a) – Number of kilograms of waste collected per head of population. They noted the CSWP view that the underlying data generating the BVPI was erroneous. They were encouraged to learn that CSWP was proposing to establish an officer project team to determine the underlying causes for this performance standard; with findings due in March 2007.</p>	<p>The BVPI 84 project is now underway and again external funding is being sought to help fund the exercise still further.</p>

8	<p>Communications A communications professional dedicated to the CSWP should be engaged by the Partnership to drive forward the communications strategy. This is in addition to the policy officer position.</p>	<p>Members remain convinced that effective communications are critical to the success or failure of the CSWP; and that until this was adequately resourced the CSWP would lack a coherent message or visible presence. Members were disappointed that the CSWP had chosen to disregard this recommendation and that despite previous assurances "that the job description of the Partnership Officer would cover the role of the communications expert" in response to questioning on 19th July the CSWP indicated that this was no longer the case and that they would continue to look for support from the communications teams in each of the local authorities.</p>	<p>No further comment.</p>
9	<p>Accountability & Decision Making That the CSWP further considers how the Cumbrian Authorities might devolve decision-making.</p>	<p>Members were encouraged to learn that that all Cumbrian authorities were developing a similar model to that of Copeland to allow substitute membership and delegation of decision-making on pooled resources. CSWP subsequently confirmed that most Cumbrian authorities have now adopted the Copeland model. The position at Carlisle and Cumbria County Council is still to be advised.</p>	<p>The position for the County Council is known to the Scrutiny Team as Ian Stewart attends the Environment Scrutiny panel as portfolio holder for some of the areas under their remit.</p> <p>The meetings of the CSWP are chaired by the Cabinet Member for Client Services (Jack Richardson) and are also attended by Ian Stewart the portfolio holder for the Environment. The Chair has the authority to agree pooled funding.</p> <p>Carlisle City Council have given their portfolio holder delegated responsibility for Defra pooled funding but not to alter council policy.</p>