

SUBJECT:	Chiltern and Wycombe Joint Waste Collection Committee – Revised Constitution to include South Bucks
REPORT OF:	<i>Environment Portfolio Holders – Cllr Mike Smith (CDC) and Cllr Luisa Sullivan (SBDC)</i>
RESPONSIBLE OFFICER	<i>Head of Environment – Chris Marchant</i>
REPORT AUTHOR	<i>Sue Markham – Principal Solicitor – 01895 837326 - sue.markham@southbucks.gov.uk</i>
WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

To consider a revised constitution for the Chiltern and Wycombe Joint Waste Collection Committee to include South Bucks now that waste issues are dealt with by one joint team for all three Districts.

RECOMMENDATIONS

- 1. That Members consider and approve the principle of extending the membership of the Chiltern and Wycombe Joint Waste Collection Committee (JWCC) to include South Bucks District Council;**
- 2. That members consider the draft amended Constitution and Terms of Reference appended to the report and delegate the final wording to the Head of Legal and Democratic Services in consultation with the relevant Portfolio Holders and the Head of Environment;**
- 3. That, provided each proposed constituent member authority of the extended JWCC agrees the principle under recommendation (a) above, the Constitution and Terms of Reference as amended shall come into effect on a date to be advised by the Head of Legal and Democratic Services and be incorporated into the relevant section of each Council's Constitution.**
- 4. That, if the Constitution and Terms of Reference are amended, the Council is recommended to update the Council's Constitution to reflect the agreed changes.**

2. Reasons for Recommendations

The recommendation to extend the membership of the JWCC will allow for the most efficient management of the current waste contracts and will enable consideration to be given to a possible future joint procurement involving all three authorities.

3. Content of Report

- a. The Chiltern and Wycombe Joint Waste Collection Committee (JWCC) was established following the award of the jointly procured contract for waste, recycling and street cleansing services.
- b. The JWCC has monitored and managed the strategic aspects of the joint contract.

- c. The officer team has, until recently, comprised a joint team of officers from Chiltern together with officers from Wycombe, transferred to Chiltern under TUPE following the decision in 2012 that Chiltern would be the host authority for the joint waste team.
- d. As part of the joint working arrangements between Chiltern and South Bucks, a review of the waste service has been carried out and a joint team to manage the overall service has been established under a new structure from October 2016.
- e. Chiltern and Wycombe's joint contract with Serco comes to the end of its first seven year period in March 2020 and South Bucks' contract with Biffa comes to an end in 2021. There may be opportunities for considering a future joint procurement or working together by all three authorities, in which case, it will be necessary for strategic decisions to be discussed and made jointly. This would be greatly assisted by extending the current JWCC to include South Bucks.
- f. For as long as there are two contracts in place there will be procedural requirements to keep separate any consideration of confidential matters relating to each current contract and decision making on each. The voting rights expressed in the draft constitution restrict the ability for Members of one Council to vote on issues relating to the existing contractual arrangements of the other Council/s.
- g. There are many other waste related issues that are common to all three authorities and the JWCC could have delegated to it other functions related to municipal waste if desired.
- h. The current JWCC has indicated its support for the membership to be extended to include South Bucks so the agreement of each constituent authority is required to progress the matter.
- i. The draft constitution as amended is attached as **Appendix 1**.
- j. Although the terms of reference/powers of the JWCC refer to operational management of the waste contracts, the day to day management of the contract and associated budgets are already delegated to the officers so that the role of the Members of the JWCC is in relation to overall strategic issues relating to waste.

4. Options

The membership of the JWCC could be left as it is currently but that could make it less efficient when it comes to consider future procurement possibilities involving South Bucks.

5. Corporate Implications

- a. Financial – none currently but the potential for future savings in the cost of the contracted out service will be explored.
- b. Legal – the legal basis for the joint committee is set out in the draft amended constitution.

6. Links to Council Policy Objectives

This proposal would support the delivery of cost effective and customer focussed services.

7. Next Step

This report and the amended draft constitution will be presented to the Cabinets of each constituent authority for approval before coming into effect if so approved.

Background Papers:	None
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