

TANDRIDGE DISTRICT COUNCIL

Minutes of the virtual meeting of the Council held on the 22 April 2021 at 7.30 pm.

PRESENT: Councillors Pursehouse (Chair), Morrow (Vice-Chair), Allen, Black, Blackwell, Bloore, Botten, Bourne, Caulcott, Connolly, Cooley, M.Cooper, Dennis, Duck, Elias, Farr, Fitzgerald, Gray, Jones, Jecks, Mills, Parker, Stamp, Langton, Lee, Lockwood, Ridge, Sayer, Steeds, Swann, Vickers, C.White, N.White and Wren

APOLOGIES FOR ABSENCE: Councillors Mansfield and Rujbally

321. CHAIRMAN'S ANNOUNCEMENTS

(i) HRH The Prince Philip, Duke of Edinburgh and Peter Ainsworth

The Chairman acknowledged that this was the first time the Council had met since the sad passing of HRH The Prince Philip, Duke of Edinburgh on the 9th April 2021. The Chairman also paid tribute to the late Peter Ainsworth, the former MP for East Surrey between 1992 and 2010.

Members observed a one-minute silence as a mark of respect.

(ii) Conduct of the meeting

The Chairman conveyed the Monitoring Officer's advice regarding the need for Members to respect the fact that the Council was in a pre-election period. He asked Members not to say anything which could be construed as electioneering.

322. DECLARATIONS OF INTEREST

The Chairman declared a non-pecuniary interest in 294 of the Housing Committee minutes of the 11th March 2021 (Garage Management Strategy) on the grounds that he was a member of a local community organisation which rented three Council garages.

323. MINUTES OF THE COUNCIL MEETING HELD ON THE 11TH FEBRUARY 2021

These minutes were approved as a correct record.

324. MINUTES OF THE COUNCIL MEETING HELD ON THE 18TH MARCH 2021

These minutes were approved as a correct record.

325. QUESTIONS SUBMITTED UNDER STANDING ORDER 30

Questions were dealt with from the Chairman (for which Councillor Morrow took the Chair) and Councillors Morrow and Caulcott. The questions and responses are set out at Appendix A.

326. REPORTS OF THE FOLLOWING COMMITTEES

The reports of Committee meetings since the 11th February 2021 Council were presented for reception and adoption.

RESOLVED – that the reports of the following meetings be received, and the recommendations therein be adopted:

Planning Committee (4th March 2021)

Community Services Committee (9th March 2021)

Housing Committee (11th March 2021)

Standards Committee (15th March 2021)

Planning Policy Committee (18th March 2021)

Strategy & Resources Committee (25th March 2021)

Audit & Scrutiny Committee (30th March 2021)

Upon moving the reception of the Audit & Scrutiny Committee report, Councillor Bourne informed Members that, in respect of Minute 317, the Council's 2019/20 statement of accounts was still awaiting sign off and that Deloitte's estimated timeframe for completing this task was now the end of May 2021.

327. ANY OTHER BUSINESS - REFUSE & RECYCLING COLLECTION CONTRACT

The Chairman was of the opinion that this matter should be considered as a matter of urgency to provide Members with an opportunity to discuss the difficulties and uncertainties residents were experiencing with the roll out of the new refuse & recycling contract. He stated that the urgency was demonstrated by the number of complaints raised by residents throughout the District with Members in person, in writing and via social media.

The following observations, questions and suggestions were put forward during the debate:

Observations

- Biffa has failed to deliver its contractual obligations ... the Customer Relations Management system hasn't worked;
- the Customer Services Team has borne the brunt of residents' anger, including some abusive calls, and should be thanked for performing this difficult task;

- there may be a misunderstanding about the crews – the personnel delivering the new contract are generally the same as before ... the crews have been doing their utmost, but the IT has let us down;
- the information e-mailed to Members on 21st April about service issues was helpful, but should have been sent earlier;
- there were no reasons why transition to the new contract should be problematic ... the terms of the new contract should have enabled the Council to ensure the key requirements were in place before the service went live ... the contract should have contained transparent 'divorce terms';
- it remains concerning that, come Saturday 24th April, the missed collection catch-up may still be incomplete, and some refuse may remain uncollected for over a month;
- despite the laudable efforts of the crews and the fact that worse problems may have occurred at the start of previous refuse collection contracts, there has been a failure to deliver the most visible of District Council services in recent weeks ... requirements for assisted collections have not been passed on to be dealt with under the new contract;
- hitherto, the Council had been working well with Biffa for over 15 years, including the successful transition to the fortnightly collection of co-mingled recyclables ...but the new contract has presented the greatest operational changes to date and other external pressures (including the pandemic) have been beyond Biffa's control ... residents should be thanked for helping Tandridge achieve one of the most successful recycling rates in the country.

Questions

- it is good to see the new vehicles but why wasn't the software tested ... is there a problem with the interface between Biffa and TDC IT systems?
- what can we do to put things right ... will Biffa be held to account via contractual penalty clauses?
- will the on-line form to report missed bins be reinstated?

Suggestions

- factual explanations about the cause of the problems, and what the Council is doing to deliver a positive outcome, should be communicated to residents;
- a dedicated e-mail account should be created for Members to communicate messages about the service;
- a new communications strategy should be adopted in respect of the service, with messages updated during the day on social media platforms;

- food caddies have been damaged while being emptied and returned to the edge of properties and should be replaced;
- future performance against a recovery plan should be monitored and reviewed on a regular basis;
- only BIFFA can answer the key questions raised during the debate ... Group Leaders need to be able to contact senior BIFFA managers, and the company should be represented at a public forum to explain what went wrong;
- a report, explaining the cause of the problems; the lessons learned for the future; and what can be done to recompense residents, should be produced for Members and made available to the public.

Councillor Connolly concluded the debate by reading a statement from the Managing Director of Biffa Municipal apologising for the inconvenience caused to residents and assuring the Council that the company was working hard to resolve the difficulties. She updated Members about the significant progress made by Biffa during the day to deal with outstanding collections. Councillor Connolly also acknowledged the need to learn from the problems of the last few weeks and a for a future report to be submitted to Members.

328. CHAIRMAN'S CLOSING COMMENTS

The Chairman acknowledged that Councillors Cooley, Jecks and Vickers would not be returning as Members in the new Municipal Year as they were not seeking re-election. He thanked them for their services to the District and wished them well for the future.

Rising 9.16 pm

Full Council 22.04.21 – Questions from Members under Standing Order 30

1. Questions from Councillor Pursehouse

Councillor Morrow took the Chair and presided over the questions and responses below.

“Over the past week, extra rubbish has piled up in bags, incidents of rats and foxes interfering with the refuse have increased, litter from ripped bags is spreading and anger has increased. The anger is amplified by the fact that refuse and recycling is the most visible service the council provides, and residents have just had council tax demands dropping through their doors.

The time for excuses, or even good reasons, has passed. If what you are doing is not working, then you need to do something else.

Residents need to know:

- (i) What is being done to get their refuse collected ASAP?**
- (ii) Exactly when their bins will be collected?**
- (iii) When the collection after that will be?**
- (iv) What is being done to ensure this problem does not reoccur?**
- (v) What will TDC and Biffa be doing to recompense the residents?**
- (vi) How will those responsible be held to account?”**

Response from Councillor Connolly

Officers are working with Biffa to improve the collections across the whole of the District. Refuse collections on Tuesday 20th April were at a 93% completion rate which is an improvement on the previous week. The outstanding refuse collections from Tuesday 20th April were completed within 24 hours. Refuse collections on Wednesday 21st April were at 93% and the outstanding collections are due to be done today.

There were significant disruptions to the collections during the week commencing 12th April 2021 and any outstanding collections from that week will be completed by Saturday 24th April 2021.

Residents will need to present their bins on their scheduled day of collection. Should there be a delay in the collections, the bins need to be left out and available for collection.

The Council website does have details of the roads missed. Currently, the message is saying that any outstanding collections will be made by Saturday 24th April. Normally, the outstanding roads will be collected sooner but we are currently not being more specific as the new contract is bedding down and operational reasons may mean that the specific day cannot be honoured.

The next collection will be on the next scheduled collection which will be one week from residents' previous scheduled one and the opposite material i.e. 'week 1 refuse and food'; 'week 2 recycling and food'.

Officers are working with Biffa to ensure an improvement in the daily completion of work. This work includes improving the communication between Biffa and the Council and work to make sure the new waste CRM system is working correctly and linking into the Council's IT systems. Crews were trained but the problems were caused by unfortunate IT failures.

Both the Council and Biffa has offered their apologies for the disruption to residents. With 80% of the District having a change to their collections there will, unfortunately, be some disruption. Biffa is providing additional resources of 4 vehicles and associated staff at its cost to get the collections back on an even keel. Biffa has also bought staff in from other contracts in the region to provide additional management support during this period of change. Hence, remedial measures are costing Biffa.

The new contract has a comprehensive performance management framework. Once the service is established then the contract will be managed through this framework which includes default payments to the Council for service failures.

Councillor Pursehouse asked a supplementary question, i.e. while not doubting that Officers have been doing their best, residents have suffered, despite having no choice but to pay Council Tax and to rely on Tandridge for the service ... some residents in Warlingham have gone nearly five weeks without a collection ... so could Biffa provide a community grants fund in recompense? The issues raised by questions (v) and (vi) above need investigating further. Councillor Connolly responded by acknowledging residents' grievances and reiterated that Biffa was allocating additional resources at its cost in order to rectify the situation. She emphasised how sorry Biffa were for the service failures and would ask Officers to investigate the possibility of Biffa funding a community grants scheme.

Councillor Pursehouse asked a second supplementary question, i.e. have the difficulties been caused by a lack of good planning rather than bad luck? Councillor Connolly responded by reflecting on unforeseen IT failures which hindered new drivers in new vehicles on unfamiliar routes. She stated that Biffa and Officers were doing their best to get the service back on track and reflected on the fact that the service had delivered some recent successes, e.g. since March 2020, Tandridge crews had worked throughout the pandemic to collect 15% more recycling and green waste; 11% more refuse; and 21% more food waste than normal. Furthermore, Tandridge is the 13th best performing authority in the country for recycling.

2. Question from Councillor Caulcott

**“Pertinent to page 61, Minute 290 of the Council Book:
Please can the Chair of the Housing Committee provide an update on the options appraisal exercise that is to be undertaken regarding the suitability of low carbon heating systems to replace existing gas boilers in Council-owned properties, including the date by which the report of the appraisal will be submitted to the Housing Committee.”**

Response from Councillor Parker

It is envisaged the full options appraisal process will take 3 years to complete with regular updates to Housing Committee along the way. This is heavily dependent on the availability of resources and the implementation of new stock condition software. During the options appraisal period officers will:

- (i) Survey the housing stock to ascertain the work required to make the housing stock carbon neutral by 2030.*
- (ii) Review the different types of low carbon heating systems currently available and their suitability.*
- (iii) Determine, for budgetary purposes, the cost of installing low carbon heating systems in the housing stock.*
- (iv) Ascertain if any additional costs will be incurred e.g. installing extra insulation.*
- (v) Determine running costs for each low carbon heating system.*
- (vi) Determine if low carbon heating systems are easy to operate and affordable to run.*
- (vii) Determine if grants are available to the Council to install low carbon heating systems.*

In conclusion, careful consideration will be required when deciding what type of low carbon heating system(s) to use. Of paramount importance is how much it will cost to install / maintain and, for residents, is it affordable to run. Unfortunately, this will not be a quick and easy process because of the many factors to be taken into consideration.

Councillor Caulcott asked a supplementary question, i.e. three years seems a long time to wait for the options appraisal ... please could she have more justification for such a time-span? Councillor Parker responded by confirming that Councillor Caulcott's concerns would be taken on board.

3. Question from Councillor Caulcott

**“Pertinent to pages 65/66, Minute 294 of the Council Book:
Please can the Chair of the Housing Committee provide the plans and programme of work for the repair and refurbishment of Council-owned garages, which is required in order to support the TDC Garage Management Strategy.”**

Response from Councillor Parker

The garage repair plan, programme and timeline is being pulled together by a lead officer who is, unfortunately, absent at present. This work will be continued shortly. If the absence continues, alternative resources will have to be found.

Councillor Caulcott asked supplementary question, i.e. when will she receive an update regarding the repair plan? Councillor Parker responded by confirming that she will forward the update as soon as she (Councillor Parker) had received it from officers.

4. Question from Councillor Morrow

“In the report of the Audit & Scrutiny Committee of 30th March, it is stated that a peer review by the Planning Advisory Service (PAS) of our Planning Department has been undertaken and was expected to report by 9th April.

I understand from Party colleagues on the Planning Committee that they took part in the review, and that the PAS suggested that our Planning Committee procedures should be changed to exclude those who are also parish councillors from the Planning Committee, and that reasons for refusal against an officer recommendation to permit should not be agreed by a councillor with the department before a meeting but be generated ad hoc during the debate.

Will the Chair of Planning advise / confirm:

- (i) When the findings of the Review will be made available to councillors**
- (ii) Why I, as the longest serving member of the Committee was not, as far as I am aware, asked to participate in the Review**
- (iii) That under no circumstances will those who are parish councillors be excluded from the Committee**
- (iv) That to ensure properly worded and robust reasons for refusal are used when the Committee overturns an officer recommendation to permit, that the current process for agreeing such words before a committee meeting will continue. The same consultation process to agree suitable conditions to support a decision to permit against officer recommendation to refuse be similarly maintained.”**

Response from Councillor Black

The PAS review is nearing completion and the report will be available for the Acting Chief Executive in the next 2-3 weeks.

Prior to the review commencing back in February, the Chief Planning Officer wrote to the Group Leaders, the Chairs and Vice Chairs and Planning and Planning Policy Committees, inviting their nominations for participation.

As the report findings and recommendations have not yet been published, it is not advisable to speculate on what specific recommendations may or may not be included at this stage. There will, of course, be a full opportunity for discussion with Members once we know what these are. The issue regarding Parish Councillors is more about those who are members of Parish Council Planning Committees. It was never suggested that Members should be ineligible to serve on TDC's Planning Committee just because they are Parish Councillors.

Councillor Morrow asked a supplementary question, i.e. it's pleasing to note that there is no proposal to exclude Parish Councillors from the Planning Committee, but what about the concern raised in (iv) above regarding the process for agreeing words (to refuse or permit) to overturn an officer recommendation? Councillor Black responded by agreeing with Councillor Morrow's wish that the current process for agreeing such wording before a Planning Committee meeting should continue.