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KIRKLEES COUNCIL

ENVIRONMENT AND CLIMATE CHANGE SCRUTINY PANEL

Tuesday 10th September 2024

Present: Councillor Andrew Cooper (Chair)
Councillor Susan Lee-Richards
Councillor David Longstaff
Councillor Matthew McLoughlin
Councillor Will Simpson
Councillor John Taylor

Co-optees

In attendance: Councillor Mark Thompson
Councillor Elizabeth Smaje
Councillor Joshua Sheard (online)
Councillor Lisa Holmes
Councillor Caroline Holt
Councillor Munir Ahmed
Councillor Moses Crook
Councillor Mohan Sokhal
Councillor Cahal Burke
Councillor Tyler Hawkins
David Shepherd, Strategic Director, Growth and Regeneration
Graham West, Service Director Highways and Street scene
Will Acornley, Head of Operational Services - Highways and Street Scene

Apologies: No apologies were received.

- 1 Membership of the Panel**
No apologies were received.
- 2 Declaration of Interests**
Councillor John Taylor declared an interest relating to item 6 as the Alternative Director for SUEZ Recycling and Recovery Kirklees LTD.
- 3 Admission of the Public**
All items were considered in public session.

4 Call-in of Executive Director Decision in relation to Waste Disposal Contract - Household Waste Recycling Centre Efficiency Savings

The Scrutiny Panel considered the grounds of a call-in request, in respect of the final decision taken by the Executive Director – for Place, Growth and Regeneration on 16th August 2024 in relation to the Waste Disposal Contract – Household Waste Recycling Centre Efficiency Savings

The three decision making areas which were the focus of the call-in review meeting were;

- Consultation: No consultation was carried out with ward councillors or residents in relation to the closure of the Nab Lane site prior to the decision being taken.
- Openness – Issues related to the clarity of the potential closure of a HWRC site and a lack of public openness. Information contained in the Budget report and subsequent report to Cabinet, providing a delegation to the Executive Director for Place Growth and Regeneration, did not reference potential closure of a HWRC site being considered.
- Options: No details of the alternative options considered and the reasons for them being discounted were given.

At the review meeting the Scrutiny Panel considered verbal submissions from councillors who were signatories to the call in and views from ward councillors affected by the decision. The Panel also considered the response of the Executive Director for Place, Growth and Regeneration, as the decision maker, along with Senior Officers of from Highways and Streetscene.

The Panel considered everything that had been submitted in writing and verbally at the hearing. This included the background reports, information that had informed the decision and the responses to questions relating to the reasons for the decision being taken, consultation, alternative options and the reasons for them being discounted as well as issues around the clarity of the delegation agreed by Cabinet on 9th April 2024.

The Panel considered the three decision options set out in the Council's Constitution, that were available to it:

1. To take no further action and free the decision for implementation
2. To refer it back to the Decision Maker with recommendations for amendment
3. To refer it back to the next Council, if the Panel considered that the decision was not made in accordance with the budget or policy framework.

RESOLVED: That the decision taken in relation to Waste Disposal Contract – Household Waste Recycling Centre Efficiency Savings be referred to the Decision Maker with the following recommendations in relation to the areas of focus as follows:

1. (Openness) That the Decision Maker be requested to refer the matter to Cabinet for determination due to the Panel's view that there was a lack of openness and

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understanding at the time when the delegation was made to the Executive Director for Place Growth and Regeneration (Cabinet 9th April 2024) and it wasn't clear that closure of a site was an option being considered.

2. (Consultation) The Panel resolved that there was a lack of engagement with Ward Councillors and service users and that more consultation with all relevant stakeholders must take place in the future.
3. (Options) That all alternative options and the reasons they were disregarded be shared as part of the decision-making process in future.

The Panel also highlighted the following learning points:

- i. That consultation with ward members should take place earlier in the process and in confidence, if necessary, in future.
- ii. That where information has been shared outside of the control of the decision maker, that the decision be paused to allow a consultation to take place if needed in future.

