

## Question from the Public pursuant to Council Procedure Rule 5.6

**A written response from the Cabinet Member for Street Scene and Environmental Services and the Cabinet Member for Finance, Innovation and Property is set out below:**

1. What active steps have been taken by TMBC to manage the floundering waste services contract and to improve the door step refuse services provided to residents of Leybourne?

We are very concerned about the issues that some residents have been experiencing with the waste collection service, even before the impact of the current driver shortage which recently led to the suspension of green-lidded bin & green box collections, and apologise to all those who are affected, not only in Leybourne but in other areas of the borough. The contractor's performance has been affected by a number of issues since taking over the contract, including significant changes & improvements to the kerbside collection services in late 2019; the impacts of the Covid-19 pandemic which led to staff shortages due to illness and self-isolation; and an increase in tonnages across all material streams over the past year due to most people working & schooling at home.

We are in discussions with Urbaser about resolving these problems and delivering the waste collection and recycling service our residents expect. We expect Urbaser to meet its contractual obligations in full and we are issuing financial penalties for poor quality performance where appropriate and in accordance with the terms of the contract. We will continue to apply pressure at senior levels at Urbaser to ensure the contract terms are delivered and will consider all options available to achieve that objective.

2. What financial penalties imposed on the contractor for poor performance are included in the waste services contract? How many times have financial penalties been imposed since the start of the contract? How much revenue has been generated by TMBC as a result of contractual financial penalties?

I can confirm that defaults are being imposed in accordance with the Contract and that defaults have been issued on 47 occasions since the start of the contract. Deductions are made from the contractor's monthly invoices and 50% of the deductions are placed into a 'charges pot'. The contract states that "*Where appropriate this money may be used to facilitate areas of particular good practice or high performance in carrying out the Service in the relevant Administrative Area or towards any improvements or initiatives relating to the Service from time to time in the relevant Administration Area*". Defaults were suspended through the core of the Covid pandemic but have been reintroduced in recent months, therefore, consideration has not been given to the specific use of any funding to date though any funding will be used in accordance with the contract condition highlighted above.

3. What improvements in the service can the residents of Leybourne expect to see in
  - a) the short term (next 6 weeks)

It is anticipated that changes being made by Urbaser to its drivers' contracts & pay will result in increased recruitment to help reduce the current impact of the national shortage of HGV drivers, and the specific impact being experienced by councils across the country. We will continue to apply the terms of the contract to help improve the quality of service provided

- b) the medium term (next 6 months)

We will continue to apply the terms of the contract to help improve the quality of service provided. We will continue to expect Urbaser to meet its contractual obligations in full, and will

continue to apply pressure at senior levels at Urbaser to ensure the contract terms are delivered and will consider all options available to achieve that objective.

c) the longer term (next 12 months and beyond)

As per (b) above.