

**Agenda Item No:**

**NORTH LONDON WASTE AUTHORITY**

**REPORT TITLE:**

BEST VALUE PERFORMANCE PLAN CONSULTATION

**REPORT OF:**

HEAD OF WASTE STRATEGY & CONTRACTS

**FOR SUBMISSION TO:**

AUTHORITY MEETING.

**DATE:**

11<sup>th</sup> FEBRUARY 2004

**SUMMARY OF REPORT:**

The report outlines a consultation paper on Best Value Performance Plans and offers a draft response to Members' for consideration.

**RECOMMENDATION**

Members are recommended to approve the response to the Government's consultation on Best Value Performance Plans attached at Appendix 1.

**Signed by: Head of Waste Strategy  
& Contracts**

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**Date:**.....

## **1. INTRODUCTION.**

- 1.1 On the 18<sup>th</sup> December 2003 the Government published *Guidance on Best Value Performance Plans: A Consultation Paper* requesting responses by 2<sup>nd</sup> February 2004.
- 1.2 The relevant parts of the consultation are set out below and a draft response is attached as Appendix 1. This has already been returned to the Office of the Deputy Prime Minister with a covering letter that it is subject to the approval of this Authority meeting.

## **2. THE CONSULTATION PAPER AND ITS IMPLICATIONS**

- 2.1 Earlier this year, ODPM published Circular 03/2003 *Best Value and Performance Improvement* to help principal authorities secure continuous improvement in delivering high quality local services, in accordance with their duty under best value. This explained how Performance Plans could help to drive authorities' improvement planning activities.
- 2.2 Over the summer, ODPM reviewed a number of Performance Plans produced in 2003 to consider the extent to which they reflected authorities' improvement planning arrangements. The review revealed a mixed picture. Some authorities appeared to use their plans as strategic planning documents, as envisaged in Circular 03/2003. However, others used them for public accountability purposes, preferring to focus their improvement planning arrangements around corporate or business plans, rather than Performance Plans.
- 2.3 In the light of these findings, and in the context of the Government's approach to deregulation, the current consultation paper proposes a number of changes to the Performance Plan requirements, so that they better meet the Government's and authorities' needs. In particular, it proposes:
  - streamlining Performance Plans for all authorities, by removing the need to provide information that can be obtained from other sources;
  - introducing differentiated arrangements that reflect CPA performance categories. Authorities categorised as excellent and good will have considerable discretion about the content of Performance Plans;
  - integrating Performance Plans with authorities' corporate and business planning so that they become internal strategic planning documents.
- 2.4 The proposals contained in the consultation paper are consistent with the tailored approach to best value by the GLA, LDA and TfL, and other best value authorities, in guidance published earlier this year.

2.5 For the statutory joint waste disposal authorities such as NLWA it is proposed that Authorities must include the following items in their Performance Plan published by June 2004, and in subsequent years:

- (a) a brief summary of the organisation's strategic objectives and priorities for improvement. This should be drawn from its corporate/ business planning processes and overall vision.
- (b) arrangements for addressing the organisation's improvement priorities, including any opportunities and weaknesses identified in best value reviews and inspections, and the outcomes that are expected to be achieved as a result.
- (c) details of performance:
  - outturn performance over the past year on Best Value Performance Indicators (BVPIs) that apply to the organisation; and
  - targets for the current year and subsequent 2 years for the above BVPIs.
- (d) a brief statement on contracts. The organisation should state and certify that all individual contracts awarded during the past year which involve a transfer of staff comply, where applicable, with the requirements in the Code of Practice on Workforce Matters in Local Authority Service Contracts and the Transfer of Undertakings (Protection of Employment) Regulations 1981 (as amended).

2.6 As noted above, a draft response is attached as Appendix 1.

2.7 The requirements as set out in the consultation paper clearly give the opportunity for Members to consider if they require the Authority's 2004 Best Value Performance Plan to be as comprehensive as it has been in previous years. Clearly, if Members have found it a useful document to refer to, then it can remain in its current form.

2.8 Guidance is requested from Members on this question as the draft 2004 Best Value Performance Plan needs to be prepared for consideration at the next Authority meeting in April 2004.

### **3. COMMENTS OF THE FINANCIAL ADVISER**

3.1 The Financial Adviser has been consulted on this report and has no further comments.

## **4. COMMENTS OF THE LEGAL ADVISER**

- 4.1 The Legal Adviser has been consulted on this report and has no further comments.

## **5. RECOMMENDATIONS**

- 5.1 Members are recommended to approve the response to the Government's consultation on Best Value Performance Plans attached at Appendix 1.

### **Local Government Act 1972 – Access to information**

Documents used: -

GUIDANCE ON BEST VALUE PERFORMANCE PLANS  
– A CONSULTATION PAPER, ODPM, 18<sup>TH</sup> December 2003

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Stephen Hayward-Smith  
Local Government Quality and Competition Division  
Zone 5/B5  
Eland House  
Bressenden Place  
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SW1E 5DU

Date .

Dear Mr Hayward-Smith

**Guidance on Best Value Performance Plans: A Consultation Paper**

The North London Waste Authority welcomes the aim of the Government to reduce its level of regulation of local authorities and to allow local authorities a greater degree of flexibility in the way it develops and uses its Best Value Performance Plan.

We have come to use this document primarily for public accountability and information purposes, rather than an internal planning tool, particularly whilst we have been leading the development of the North London Joint Waste Strategy over the past two years.

The single-purpose nature of our statutory joint waste disposal authorities has meant that the more prescriptive elements of the Best Value regime have never suited the NLWA well, particularly the initial requirement to do a best value review of a part of our municipal waste disposal service every year.

A stakeholder dialogue on the draft North London Joint Waste Strategy will commence within three weeks, and will continue through to May 2004. The NLWA and its seven Constituent Boroughs are proposing to achieve the very ambitious recycling and composting targets from the Prime Minister's Strategy Unit's report *Waste Not, Want Not*, and hope to be moving rapidly into the implementation of our strategy. We shall endeavour to make our improvement plan and our strategy implementation plan one and the same thing, but would welcome your confirmation on the validity of this approach (naturally assuming that we have fully addressed your requirements set out at Appendix A(c) to the consultation paper).

You have asked the question about the compatibility of the timing of our own business planning arrangements that should inform the BVPP and the requirement for us to publish outturn BVPI data by June each year. It appears to the Authority that the Government is here itself mixing the objectives of firstly internal improvement planning and secondly of accountability by requiring that BVPI data is incorporated in the BVPP by the end of June. It would appear far more sensible to de-couple these two requirements and to allow both to be published separately, rather than effectively require the publication of the BVPP twice per year ... once for an internal audience and the auditors ... and again to include the BVPI's for the public and the auditors... along, no doubt, with increased audit fees.

Finally, I request assurance that if the Authority chooses to publish a fuller BVPP in 2004, similar to previous years, that it will not be criticised in any way for having exceeded the new guidance.

Yours sincerely

**Andrew Lappage**  
**Head of Waste Strategy & Contracts**