

CABINET**Friday, 15 November 2019**

Attendance:

Councillor Thompson (Chairperson)	– Leader and Cabinet Member for Communications
Councillor Cutler (Vice-Chair)	– Deputy Leader and Cabinet Member for Finance and Risk
Councillor Learney	– Cabinet Member for Housing and Asset Management
Councillor Prince	– Cabinet Member for Sport, Leisure and Communities
Councillor Tod	– Cabinet Member for Service Quality and Transformation

Others in attendance who addressed the meeting:

Councillors Brook, Gemmell, Godfrey, Horrill, Lumby and Read

Apologies for Absence:

Councillors Murphy, Porter and Weir

1. DISCLOSURE OF INTERESTS

Councillor Tod declared a personal (but not prejudicial) interest in respect of the Report on the award of the Environmental Services contract, due to his role as a County Councillor.

2. MINUTES OF THE PREVIOUS MEETING HELD ON 23 OCTOBER 2019

RESOLVED:

That the minutes of the previous meeting held 23 October 2019 be approved and adopted.

3. PUBLIC PARTICIPATION

There were no questions asked or statements made.

4. LEADER AND CABINET MEMBERS' ANNOUNCEMENTS

The Leader announced that this additional meeting was being held during the pre-election communications restriction period due to the urgent requirement for a decision to be made without delay.

5. **ENVIRONMENTAL SERVICES - AWARD OF CONTRACT (LESS EXEMPT APPENDICES)**
(CAB3202)

Councillor Cutler introduced the report setting out that the report considered the Award of Contract for the council's waste and recycling collection service. The decision included an Award of Contract on the same basis as the existing collection service. He emphasised that Cabinet remained committed to investigating further the option to introduce a sustainable food waste collection service, once more information was available regarding Government and County Council decisions regarding recycling in general.

At the invitation of the Leader, the following Councillors addressed Cabinet and raised various questions and comments, as summarised below.

Councillor Lumby

- As a ward councillor, mentioned specific difficulties under the current waste contract in relation to West Meon;
- Emphasised the importance of proper enforcement measures under a new contract arrangements;
- Considered that the contract should be awarded to a new provider with a new approach;
- Believed that proposals to charge for garden waste collection were regressive, risked an increase in fly-tipping and were contrary to the declaration of a climate emergency;
- Requested that the proposals be considered by a future Scrutiny Committee.

Councillor Godfrey

- Emphasised the amount of work required prior to the commencement of a new contract;
- Queried whether the new contractor would employ staff according to the living wage accreditation;
- Reiterated concerns regarding any proposal to charge for garden waste and specifically queried what evidence was there to justify this and requested details of possible improvements to the service.

Councillor Horrill

- Queried why food waste collection had not been included as she believed it was a missed opportunity to act on the climate emergency declaration;
- What changes would need to take place before a decision to proceed with food waste collection would eventually be taken? She believed the consultation undertaken so far on this proposal was inadequate;
- The report mentioned that Project Integra was under review but did not set out an alternative disposal strategy or refer to other local authorities proposals regarding the collection of food waste;
- The report lacked detailed reference to proposals for the implementation of the new contract which was potentially worrying given the recent issues following the introduction of new waste collection calendars.

Councillor Brook

- Queried what level of CO2 reduction would be offered by the new refuse collection vehicles? In addition, what other carbon reduction measure would be offered?
- Would further guidance be offered on means of disposing of plastics currently not collected? Similarly, what about offering means for collecting fabric/cloth?
- There was no mention of educating residents on what materials could be recycled and the costs to the Council of dealing with contaminated waste due to incorrect separation.

Councillor Read

- Requested information on the impact of the recent introduction of kerbside glass collection.
- Query regarding whether existing glass collection bring sites would be retained?
- Believed that leaving glass collection boxes out on the kerbside overnight could be dangerous in some areas.
- General comment that refuse bins were not being returned by the operatives to their original location.

Councillor Gemmell

- Query regarding the proposed length of the contract (8 years) and whether it contained break clauses and penalty clauses?
- Disappointing that a Member Briefing had not taken place on the proposals;
- How quickly could changes to the contract be implemented, for example if the Government required the collection of food waste or weekly refuse collections?
- Disputed that the new contract offered a “like for like” service.
- Emphasised the importance of careful management of the handover period.

Cabinet Members responded to comments made as summarised below:

- Emphasised that an increase in recycling levels did not necessarily correspond with a reduction in carbon depending on what was required to collect and recycle the particular material.
- Acknowledged disappointment that it was not possible to introduce food waste collection at this time, but it was important to have regard to potential developments across the county in order to hopefully achieve a better solution at a later time.
- Therefore, it was proposed that an additional recommendation be included that opportunities continue to be pursued for food waste collection at the earliest practical opportunity, including evaluation of collaboration with other local authorities.
- Emphasised that it would be difficult to include food waste collection at the current time because of the uncertainties regarding practical matters, such as where the waste could be recycled, together with lack of clarity regarding future Government requirements.
- Welcomed requests for future scrutiny of the option to introduce charging for collection of garden waste. This could include examination of the possible

enhancements to the service that could be offered (for example, collection in larger capacity wheelie bins).

- Acknowledged the hard work of the Council's contract management team in managing the recent issues experienced following the introduction of the new calendar collection timetables. The number of missed bin collections continued to fall.
- Separate monitoring of assisted collections requests not being fulfilled was undertaken with the aim to reduce this to zero as a priority.
- The proposals regarding the kerbside collection scheme and impact on the glass bring sites had been previously shared with members.
- Considered that any increase in fly-tipping was likely to be a consequence of the introduction of charges at County Council operated household recycling centres.
- Requested that Members contact the relevant contract officers if any specific queries or concerns regarding ongoing waste collection services.

In addition, the Strategic Director responded to specific queries raised as summarised below:

- The proposed 8 year length of contract was a standard period, being the average service life of a refuse collection vehicle, and had been tested with potential contractors during soft market testing.
- Legal advice had been obtained that a specific one year extension period was not necessary because an extension of 'up to' eight years was included in the contract.
- The contract documentation included a detailed performance management framework. This included the opportunity for the contractor to rectify failings but also allowed the contract to be terminated in the event of gross failure.
- Further details on the environmental specifications of vehicles etc under the contract would be provided in exempt session as required specific details regarding the submissions from Bidders A and B.
- It was not possible to require a contractor to pay the real living wage to its employees but both bidders had been reminded of the Council's stated position on this.

At the invitation of the Leader, Councillor Horrill thanked Cabinet Members and the Strategic Director for the responses outlined above and asked how remaining points would be addressed?

The Chief Executive stated that the majority of points directly relevant to the proposed award of the new contract had been addressed. Points raised regarding proposals for garden waste collection could be addressed further at the relevant Policy Committee and/or Scrutiny Committee prior to a Cabinet decision being taken.

The Leader confirmed that a note of all points raised had been taken and further responses would be provided as appropriate.

Cabinet then moved into exempt session to consider the contents of the exempt appendices before returning to open session to agree the resolutions as outlined below.

During debate, Cabinet Members highlighted that many of the comments raised during open and exempt sessions by other Councillors related to contract management and would be addressed by the Cabinet Member for Service Delivery and Transformation. The option of charging for garden waste collection would be consulted upon as part of the ongoing budget consultation.

Cabinet agreed to the following for the reasons set out above and outlined in the report.

RESOLVED:

1. That the contract for the provision of waste collection services be awarded and let from 26th September 2020 without the inclusion of a food waste collection.
2. That the contract for the provision of waste collection services be awarded to Bidder A in the sums tendered and on the terms set out in the procurement documents.
3. That the Strategic Director – Services be authorised to issue notification of intention to award contracts to the bidder that received the highest score under the evaluation criteria and methodology used for the purposes of the tender evaluation and enter into the mandatory 10 day standstill period.
4. That the Service Lead – Legal be authorised to finalise, prepare and enter into the contract(s) for the provision of waste collection services to commence on 26th September 2020 to give effect to the outcome of the tender process.
5. That opportunities continue to be pursued for food waste collection at the earliest practical opportunity, including evaluation of collaboration with other local authorities.

6. **FUTURE ITEMS FOR CONSIDERATION**

RESOLVED:

That the list of future items, as set out in the Forward Plan for December 2019, be noted.

7. **EXEMPT BUSINESS:**

RESOLVED:

1. That in all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

2. That the public be excluded from the meeting during the consideration of the following items of business because it is likely that, if members of the public were present, there would be disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

<u>Minute Number</u>	<u>Item</u>	<u>Description of Exempt Information</u>
##	Environmental Services – Award of Contract (Exempt Appendices)) Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Para 3 Schedule 12A refers)

8. **ENVIRONMENTAL SERVICES - AWARD OF CONTRACT (EXEMPT APPENDICES)**
(CAB3202)

Cabinet considered the contents of the exempt appendices which set out further financial and tender evaluation information regarding the award of contract (detail in exempt minute).

Victoria Hutchin (WYG) and Councillors Brook, Gemmell, Godfrey, Horrill, Lumby and Read remained in the room during discussion in the exempt session.

The meeting commenced at 9.30am and concluded at 11.10am (with a 15 minute adjournment)

Chairperson