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Dear Councillor

SOUTH HAMS COUNCIL - THURSDAY, 14TH JULY, 2022

I refer to the agenda for the above meeting and attach papers in connection with the following item(s).

Agenda No	Item
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- | | |
|----|---|
| 5. | <u>Business Brought Forward by the Chairman</u> (Pages 1 - 26) |
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Waste and Recycling Services Contract Update

Yours sincerely

Darryl White
Democratic Services Manager

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Agenda Item 5

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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**MINUTES OF A SPECIAL MEETING OF
THE EXECUTIVE
HELD IN THE COUNCIL CHAMBER ON TUESDAY, 12 JULY 2022**

Members in attendance:			
* Denotes attendance			
∅ Denotes apologies for absence			
*	Cllr K J Baldry	*	Cllr T R Holway
*	Cllr H D Bastone (Vice Chairman)	*	Cllr N A Hopwood
*	Cllr J D Hawkins	*	Cllr J A Pearce (Chairman)

Non-Executive Members also present either in person or remotely for all or part of the meeting: Cllrs Abbott, Austen, Birch, Foss, Long, McKay, Rowe, Spencer and Sweett
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Officers in attendance and participating:		
All items		Chief Executive; Deputy Chief Executive, Section 151 Officer; Director of Strategy and Governance, Monitoring Officer (via Teams); Democratic Services Manager; and Head of Waste and Environmental Services

E.25/22 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting, but there were none made.

E.26/22 EXCLUSION OF PUBLIC AND PRESS

It was then:

RESOLVED

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business as the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act is involved.

E.27/22 WASTE AND RECYCLING SERVICES CONTRACT UPDATE

Consideration was given to an exempt report that provided an update on the status of the Waste and Recycling Services Contract. It was noted that the report was an urgent report and that it had been agreed with Chairman of the Overview and Scrutiny Committee that the Call-in provisions should not apply of this report.

Following a lengthy debate during which widespread support was expressed for the proposed way forward and the strictly confidential nature of the contents of the published agenda report was reinforced, Members expressed a wish to re-admit the public and press to the meeting in advance of the vote on the motion being taken.

As a result, it was then:

RESOLVED

That the public and press be re-admitted to the meeting.

It was then:

RESOLVED

1. That the work of the Waste Working Group in guiding the Council's strategic approach to waste services and the progress made in negotiations with the Council's waste contractor (FCC) be recognised;
2. That Council be **RECOMMENDED** to
 - a. agree to terminate the contract by mutual agreement, resulting in the transfer of all services currently provided under the contract back to the Council with effect from 3 October 2022;
 - b. delegate authority to the Head of Paid Service (Chief Executive) and Director of Customer Services Delivery, in consultation with the Leader and Lead Member for Waste and Recycling Services, to:
 - i. conclude the negotiations based on the outline of draft settlement terms set out in Appendix A and to finalise the settlement agreement and any other necessary agreements.
 - ii. formulate and implement a mobilisation plan for the Council's delivery of the service; and
 - iii. keep the Waste Working Group informed on progress.
 - c. transfer the value of the 2021/22 deductions to the sustainable waste management earmarked reserve, as part of the closure of the 2021/22 accounts, in order to contribute to anticipated set up costs of bringing the service back in house as outlined in section 4 of the presented report.
 - d. allocate all additional payments from the waste contractor in 2022/23, to contributing to the anticipated set up costs of bringing the service back in house as outlined in section 4 of the presented report.
 - e. approve the use of the business rate retention reserve to fund the anticipated revenue costs during the transition period as outlined in section 4 of the presented report.
 - f. allocate a budget for one-off set up costs, as outlined in Section 4 of the presented report

3. That it be noted that the Lead Member will bring a further report to the Executive in September 2022 setting out an operational plan designed to stabilise the service and the changes required to reduce the current operating costs in the medium term.
4. That the intention for the Head of Paid Service to make the necessary organisational changes to enable a seamless handover of the service be noted.
5. That that the Section 151 Officer be requested to bring a further report to the Executive in September 2022 on the ongoing revenue costs of delivering the service in-house (after the transitional period) and the impact on the Council's Medium Term Financial Strategy (MTFS).

(Meeting commenced at 9.30 am and concluded at 11.00 am)

Chairman

(NOTE: THESE DECISIONS, ARE NOT SUBJECT TO THE CALL-IN PROVISIONS OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES).

