

**Minutes of a Meeting of the Executive
held at Surrey Heath House on 9
November 2016**

+ Cllr Moira Gibson (Chairman)

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| - Cllr Richard Brooks | + Cllr Craig Fennell |
| + Cllr Mrs Vivienne Chapman | + Cllr Josephine Hawkins |
| - Cllr Colin Dougan | + Cllr Charlotte Morley |

+ Present

- Apologies for absence presented

In Attendance: Cllr Dan Adams, Cllr David Allen, Cllr Rodney Bates, Cllr Bill Chapman, Cllr Paul Deach, Cllr Edward Hawkins, Cllr Paul Ilnicki, Cllr Jonathan Lytle, Cllr Katia Malcaus Cooper, Cllr David Mansfield, Cllr Alan McClafferty, Cllr Max Nelson, Cllr Robin Perry, Cllr Chris Pitt, Cllr Darryl Ratiram, Cllr Ian Sams and Cllr Valerie White

39/E Minutes

The minutes of the meeting held on 4 October 2016 were confirmed and signed by the Chairman.

40/E Questions from Members

No questions were received from Members.

41/E 2016/17 Mid-Year Review Report

The Executive considered a report summarising the performance of the Council against its corporate objectives, priorities and success measures for the period between 1 April and 30 September 2016.

RESOLVED to note the 2016/17 Mid-Year Review Report

42/E Deepcut Village Centre Commuted Sums

The Executive was reminded that the Deepcut Village Centre had been built as part of the Alma Dettingen development at Deepcut. A commuted sum of £382,000 for maintenance of the venue over the life-time of the building had been included in the Section 106 Planning Agreement.

It was reported that the changing rooms in the Centre had been intended to provide facilities for outdoor pitches. However, as the playing fields were not to a standard to play competitive football and local residents had not originally supported the development of football pitches on the site, the development company had left this area of land as green space and the changing rooms had remained un-used.

The Deepcut Village Association, which managed the venue, was proposing that the under-utilised changing rooms be redeveloped into a small hall in order to offer an improved and expanded facility for the local community and to help increase revenue. The centre was used by 700-800 people per week and was expected to increase to over 1000 people per week after the works were completed.

Members were reminded that the Association had applied to the Council for a Community Fund Grant, which the Executive considered on 6 September 2016; whilst the Executive had supported the proposal, it had agreed to defer the award of any Community Fund grant money until it had considered whether the Deepcut Village Centre Commuted Sum funds could be used instead.

Approval was therefore sought for the use of S106 funds of up to £92,400 for internal redevelopment of the changing rooms. Members were advised that, if this funding was agreed it would negate the need for the Community Fund Grant.

RESOLVED

- (i) a maximum of £92,400 be allocated to the Deepcut Village Association from the Deepcut Village Centre Commuted Sum Reserve, towards the Deepcut Village Centre redevelopment proposal; and**
- (ii) the decision on the final figure allocated be delegated to the Executive Head of Business in consultation with the Portfolio Holder for Regulatory and Portfolio Holder for Business.**

43/E Joint Waste Contract - Award of Contract and second Inter Authority Agreement

The Executive was reminded that, at its meeting on 3rd December 2013, it had resolved to jointly procure a new waste collection and street cleansing contract with a number of other local authorities. The Joint Waste Collection Contract (JWCC) has now been procured to provide a range of waste collection, recycling, street cleaning and associated services for the four partner authorities: Elmbridge Borough Council, Mole Valley District Council, Surrey Heath Borough Council and Woking Borough Council.

Whilst the Partner Authorities currently operated successful and cost-effective recycling services, all of which are operated under individual contracts, the aim of the Joint Contract was to put a contract in place which would build on existing success by encouraging further innovation and yield significant savings and service benefits for local tax payers.

Members were reminded that the Partner Authorities and Surrey County Council, as the Waste Disposal Authority, had signed an Inter-Authority Agreement (First IAA) during 2013/14 to regulate the terms and nature of the procurement. The Partner Authorities had been working together to procure the joint contract supported by a Project Manager and specialist technical and legal advisers.

Whilst the Joint Contract has been designed to provide each of the Partner Authorities with the same specification, the specification made some allowance for local choice and flexibility. Through the Joint Contract, Surrey Heath would be procuring the following services:

- Municipal waste and recycling collection service, including mixed dry recycling, food waste, garden waste, electrical items, textiles and commercial waste;
- Bulky waste collection service;
- Clinical waste collection service;
- Street-cleaning service;
- Service Users' Contact Management, including the administration of the garden waste service.

The initial term of the Joint Contract was 10 years, expiring on 3 June 2027, but after the initial term it could be extended with flexible extensions of up to a further 14 years, giving a total maximum 24 year term.

The Joint Contract had been procured so as to enable all other Surrey waste collection authorities to have the opportunity to join during the life of the contract, should they so wish; however, the arrangement ensured that the four Partner Authorities as the first cohort of authorities joining the JWCC would not be adversely affected by those joining at a later stage.

The Executive noted the main stages of the procurement process along with the key contract features. The outcome of the tender evaluation process was a recommendation to award the contract to Bidder 'A'.

In order to ensure the contract was administered appropriately, a revised IAA (Second IAA) was required, which would set out how liabilities, rights, duties, undertakings and responsibilities arising from or out of the Joint Contract would be shared and managed between the authorities. It would provide the terms governing the Partner Authorities' joint working arrangements throughout the term, including any extension, of the Joint Contract.

The Second IAA outlined how decisions in relation to the Joint Contract and the services delivered by the contractor would be made by elected Members and officers, and established new Terms of Reference for the JWCC to oversee the implementation and evolution of the contract over its lifetime. The IAA also established a Contract Partnering Board and outlined the role of the Authorising Officer and the Contract Management Office.

Members recognised that the outcome of the process was the result of a considerable amount of work and extended their thanks to all who had been involved in the project.

RESOLVED

- (i) that Bidder A be awarded the Joint Waste Collection and Street Cleansing Contract (Joint Contract) with service delivery in Surrey Heath commencing on 5th February 2018**

up to and including 5 June 2027, with the option for the participating authorities and the contractor to agree to extend the Joint Contract by one or more successive consecutive periods until 2 June 2041;

- (ii) to enter into the Joint Contract with each of the partner authorities and Bidder A;
- (iii) to enter into the successor Inter Authority Agreement (Second IAA) with each of the other partner authorities, Elmbridge Borough Council, Mole Valley Borough Council and Woking Borough Council and Surrey County Council (in its capacity as the waste disposal authority (WDA)), which will regulate the relationship between the participating authorities (as necessitated by entry into the Joint Contract), establishes the shared contract management office (CMO) and the required governance arrangements, including the revised terms of reference for the Joint Waste Collection Services Committee (JWCSC Committee);
- (iv) to grant a lease of part of Doman Road Depot to Bidder A commencing on 5th February 2018 and co-terminus with Surrey Heath's participation in the Joint Contract and the Second IAA at a peppercorn rent;
- (v) that responsibility for finalising the detail of the Second IAA and other related issues be delegated to the Executive Head for Community in consultation with the Portfolio Holder for Community; and
- (vi) that responsibility to implement any actions necessary to implement the recommendations of this report, including any changes to the Council's constitution, be delegated to the Executive Head of Community; and
- (vii) that the Council be the administering authority for the Joint Contract.

RECOMMENDED to Council that

- (i) funding of £3.2m be included in the capital programme for 2017/18 and 2018/19 to provide capital funding for vehicle purchase funded by borrowing;
- (ii) the Executive Head of Corporate be authorised to update the Constitution with any required changes in light of agreeing the Second IAA;
- (iii) the Community Portfolio Holder (and an appropriate named deputy) be appointed as the Council's representative on the Joint Waste Collection Services Committee;

44/E Future Surrey Waste Partnership

The Executive was informed that the Surrey Waste Partnership, which comprised the waste collection authorities (WCA) and Surrey County Council as the waste disposal authority (WDA), had enabled Surrey authorities to perform increasingly well by working together. This partnership working had contained the costs of waste management in the county as well as enabled improved recycling rates and service improvements for residents.

Members were advised that analysis had indicated that, whilst the current level of co-operation had been beneficial, greater collaboration and co-ownership of the entire waste service would result in significant financial savings and further improvements to the services offered to residents. The analysis had suggested that that up to £12.4m per year could be saved from the collective budgets of WCAs and the WDA through operational efficiencies, increasing recycling, gaining greater value from materials, increasing commercial waste collections, and back office efficiencies.

In addition, the creation of a single entity for waste services in Surrey could further reduce the overall costs of waste management by aligning the operational and management functions of all the authorities within a co-ownership model and ensure that waste management in Surrey was designed as one complete system.

It was reported that neither the Joint Waste Collection Contract (JWCC), nor the Inter Authority Agreement (IAA) that would govern the future working arrangements of the JWCC Authorities currently included any of the waste disposal arrangements currently managed by Surrey County Council. This arrangement resulted in continued duplication of some waste functions, as well as the continued risk that policies and services designed by the disposal authority were not in line with those designed by the collection authorities, and vice versa.

It was therefore proposed to support the further development of the co-owned single tier entity, immediately expand the scope and function of the current IAA between the JWCC Authorities to include some of the waste functions from the county council, and amend the IAA to reflect these changes.

RESOLVED to

- (i) extend the Inter Authority Agreement (IAA) relating to the Joint Waste Collection Contract (JWCC) and the Joint Waste Collection Services Committee to include the Waste Disposal Authority (WDA) functions (as follows) that currently reside with the county council, on the basis that this will not affect how decisions related to the JWCC are made nor have any negative financial implications for Surrey Heath Borough Council**

WDA Partnership functions to be included in the IAA:

- Kerbside improvement initiatives to increase recycling and reduce waste arisings;**
- Payments to waste collection authorities;**

- **Data management and monitoring;**
 - **Policy development and alignment;**
 - **Performance management;**
 - **Engagement with government, the waste sector, industry and others on the waste agenda;**
- (ii) **delegate responsibility to the Executive Head Community in consultation with the Portfolio Holder for Community Services and other members of the Joint Waste Collection Services Committee to amend the Inter Authority Agreement to enable this expansion; and**
- (iii) **support further development of the co-owned single tier entity model for waste services and asks the Executive Head Community , in consultation with the Portfolio Holder for Community to work with partner authorities within the joint collection contract and Surrey Waste Partnership to develop the model with the aim of presenting a business plan to the Executive in 2017.**

45/E Exclusion of Press and Public

In accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public were excluded from the meeting for the following items of business on the ground that they involved the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Act as set out below:

Minute	Paragraph(s)
46/E	3
47/E	3
48/E	3
49/E	3

Note: Minutes 46/E and 48/E are summaries of matters considered in Part II of the agenda, the minutes of which it is considered should remain confidential at the present time.

46/E One Public Estate and Garden Village Bids

The Executive made decisions in relation to a One Public Estate Bid and a Garden Village Bid.

47/E Urgent Action

The Executive noted Urgent Action taken in accordance with the Scheme of Delegation of Functions to Officers.

48/E Acquisition of Property

The Executive made decisions in relation to the acquisition of property.

49/E Review of Exempt Items

The Executive reviewed the reports which had been considered at the meeting following the exclusion of members of the press and public, as it involved the likely disclosure of exempt information.

RESOLVED that

- (i) the confidential annex relating to the agenda report for minute 43/E remains exempt for the present time;**
- (ii) information at minute 46/E and the associated agenda report remain exempt for the present time pending review about whether the decision and associated information can be made public;**
- (iii) information at minute 46/E and the associated agenda report remain exempt until the developer makes any decision public; and**
- (iv) minutes 47/E and 48/E, the decisions therein, and any associated paperwork remain exempt for the present time.**

Chairman