

# Public Document Pack

**Southend-on-Sea Borough Council**

**Legal & Democratic Services**

**Strategic Director: John Williams**

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25 January 2022

## **THE COUNCIL - TUESDAY, 25TH JANUARY, 2022 SUPPLEMENTARY MINUTES PACK**

Please find enclosed, for consideration at the next meeting of the The Council taking place on Tuesday, 25th January, 2022, the following report(s) that were unavailable when the agenda was printed.

### **Agenda No    Item**

**3.     Waste Collection Contract (Pages 1 - 6)**

(a) Minutes of the special meeting of the Cabinet held on Monday 24<sup>th</sup> January 2022 – Minutes attached

(b) Minutes of the special meeting of Place Scrutiny Committee held on 24<sup>th</sup> January 2022 – Minutes attached

Robert Harris  
Principal Democratic Services Officer



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**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Cabinet**

**Date: Monday, 24th January, 2022**  
**Place: Council Chamber - Civic Suite**

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**Present:** Councillor I Gilbert (Chair)  
Councillors R Woodley (Vice-Chair), L Burton, P Collins, A Jones,  
C Mulronev and M Terry

**In Attendance:** Councillors Cox, K Evans, Buck, Folkard and Jarvis  
A Lewis, A Eastgate, J Williams, A Lewis, J Chesterton, R Harris,  
J Burr, I Kazalbash, A Richards, P Rabbitts and L White.

**Start/End Time:** 4.15 pm - 5.00 pm

**626 Apologies for Absence**

Apologies for absence were received from Councillor Nevin.

**627 Declarations of Interest**

There were no declarations of interest at this meeting.

**628 Selective Licensing**

The Cabinet considered a report of the Executive Director (Growth and Housing) relating to the implementation of the Selective Licensing Scheme within neighbourhoods in the Milton, Kursaal, Victoria and Chalkwell Wards. The matter was referred back to Cabinet at full Council on 10 November 2021.

The Cabinet gave very serious consideration to the matter as it had been referred back.

Resolved:

1. That the resolutions made by Cabinet on 14 September 2021, as set out in Minute 333, be confirmed:

a) That the financial details of the Selective Licensing Scheme, as set out in the submitted report be noted.

b) That the proposed discounts for the Scheme including the early bird period of four months (December 2021 to March 2022) to promote early compliance as set out in the submitted report, be noted.

2. That for the avoidance of doubt, the designation date of 1 December 2021 be ratified.

3. That the Council complies with the obligations set out in section 3.13 of the submitted report, without delay.

Reasons for decision:

To provide a comprehensive financial assessment and clear recommendations on how the Selective Licensing Scheme can be delivered.

Other Options:

To seek to revoke the designation made on 18 March 2021.

Note: This is an Executive Function, but it is not eligible for call-in by virtue of Scrutiny Procedure Rule 15(e)(iii) as the matter has previously been the subject of call-in.

Cabinet Member: Cllr Gilbert

## **629 Waste Collection Contract**

The Cabinet considered a report of the Executive Director (Neighbourhoods and Environment) presenting two options for securing the future service provision of the Recycling, Waste and Cleansing Contract, with the express aim of supporting the Council's declared Climate Emergency, the Southend 2050 Ambition and meeting the changing requirements of environmental legislation and the growing environmental demands of the Borough's residents.

Resolved:

1. That a Recycling, Waste and Cleansing Contract be procured for up to 20 years (Option B).

2. That the aims and parameters of any new Contract be to:

- Recognise the Climate Emergency declared by the Council in 2019 and support the move to carbon neutrality by 2030;
- Comply with the Environment Act 2021 and the need to improve recycling rates to achieve the anticipated Government requirement of 65% by 2035;
- Follow the principles of the Waste Hierarchy and aim to reduce waste to landfill;
- Maximise the use of sustainable fuels in the operation of the services;
- Provide the best customer and digital experience for residents;
- Consider whether the waste disposal contract should be included as part of the same procurement process;
- Consider the inclusion of a commercial waste offering; and
- Recognise the popularity with residents of the current scheme, and explore the viability of maintaining it, or something similar via market engagement.

3. That an indicative annual budget envelope for the Contract be established and forms part of the invitation to tender.

4. That authority be delegated to the Executive Director (Neighbourhoods and Environment) and Executive Director (Finance & Resources), in consultation with the Cabinet Member for Environment, Culture, Tourism and Planning, to negotiate a short term extension to the Veolia Contract from October 2023 if

required to enable the Council to maintain a waste collection service until the procurement process for a new Contract has concluded and that this is contained within the financial sums identified in the submitted report.

5. That the outcome of the tender process and its associated financial implications be reported to a future Cabinet meeting with a recommendation as to the award of the Contract.

6. That up to £1.5m be allocated from the Waste Reserve to support the one-off costs of the procurement.

7. That it be noted that any additional financial costs for the extension of the current Waste Contract from October 2023 would be reflected in the budget setting for 2023/24.

8. To note that the current levels of recycling are significantly below the future targets set by the Government, and the significant environmental and economic benefits that reducing residual waste, and increasing recycling will bring to the Borough. Action is therefore required to secure a future service provision that is capable of meeting the Council's own targets and obligations.

9. That authority be delegated to the Executive Director (Neighbourhoods and Environment), the Executive Director (Finance and Resources) and the Executive Director (Legal and Democratic Services), in consultation with the Cabinet Member for Environment, Culture, Tourism and Planning to:

a) Procure a public relations company at a one-off cost of up to £250,000 to run a dedicated engagement, information and education programme to support the aims of Option B to be funded by the Waste Reserve; and

b) Employ a Contract Manager at a cost of £75,000 per annum to support the management and effective performance of the Contract by the Contractor to be funded by the Waste Reserve in 2022/23 and for consideration as part of the budget setting for 2023/24.

Subject to decisions taken under these delegated powers being reported to Cabinet.

10. That cross party Member oversight of the procurement process be provided through the Environment, Culture, Tourism and Planning Working Party.

Reasons for Decision:

1. To evidence that best value has been achieved by undertaking a thorough and transparent market exercise;
2. To explore collection models and innovative solutions for Southend not currently offered under Option A, which could better meet the needs of residents;
3. To enable a joint procurement option to be considered for the waste collection and disposal Contract which is due to be procured within a similar timescale;

4. To enable greater engagement with members and the residents and provide greater transparency in securing a future service which touches and concerns every household in the Borough;
5. To explore solutions that could limit the commercial risk to the Council.

Other Options:

Four different delivery solutions (Options A to D) have been considered on how best to achieve the objectives that this new service will need to deliver upon. Two are considered viable options (A and B) and two are not (C and D).

Note: This is an Executive Function  
Referred direct to Special Place Scrutiny Committee  
Cabinet Member: Cllr Mulroney

**630 Exclusion of the Public**

Resolved:

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the item of business set out below, on the grounds that it would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**631 Waste Collection Contract**

The confidential report of the Executive Director (Neighbourhoods and Environment) concerning the Waste Collection Contract was considered in conjunction with Minute 629 above.

Resolved:

That the confidential report, be noted.

Note: This is an Executive Function  
Referred direct to Place Scrutiny Committee  
Cabinet Member: Cllr Mulroney

**Chair:** \_\_\_\_\_

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## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of Place Scrutiny Committee

**Date: Monday, 24th January, 2022**

**Place: Council Chamber - Civic Suite**

**Present:** Councillor N Folkard (Vice-Chair, in the Chair),  
Councillors J Warren, K Buck, T Cowdrey\*, T Cox\*, M Dent, F Evans,  
K Evans, S George, D Jarvis, J Lamb\*, K Mitchell, K Robinson,  
N Ward and P Wexham  
(\*Substitute in accordance with Council Procedure Rule 31.)

**In Attendance:** Councillors I Gilbert, P Collins and C Mulroney (Cabinet Members)  
J Chesterton, A Eastgate, G Gilbert, J Burr, I Kazalbash and T Row

**Start/End Time:** 6.30 pm - 9.25 pm.

#### **632 Apologies for Absence**

Apologies for absence were received from the Chair, Councillor Moring (substitute: Councillor Cox), and Councillors Cowan (substitute: Councillor Cowdrey), Walker (substitute: Councillor Lamb) and Wakefield (no substitute).

#### **633 Declarations of Interest**

The following interests were declared at the meeting:

(i) Councillors Gilbert, Mulroney and Collins (Cabinet Members) – Interest in the referred items; attended pursuant to the dispensation agreed at Council on 19th July 2012, under S.33 of the Localism Act 2011.

#### **634 Questions from Members of the Public**

There were no public questions.

#### **635 Waste Collection Contract**

The Committee considered Minutes 629 and 631 of Cabinet, which had been referred direct to Scrutiny by Cabinet, together with the report of the Executive Director (Neighbourhoods and Environment) presenting two options for securing the future service provision of the Recycling, Waste and Cleansing Contract, with the express aim of supporting the Council's declared Climate Emergency, the Southend 2050 Ambition and meeting the changing requirements of environmental legislation and the growing environmental demands of the Borough's residents. Copies Minutes 629 and 631 were circulated to all Councillors prior to the meeting and were tabled.

Concerns were expressed at the lateness of the circulation of the reports to Councillors on the Committee, particularly given the importance and magnitude of the matter.

The Committee debated the matter in detail and asked a number of questions that were responded to by the Cabinet Member for Environment, Culture, Tourism and Planning and officers.

Resolved:-

1. That the matter be referred back to Cabinet for reconsideration with the recommendation that that the weekly collection of general residual waste be included in any tender documentation as a mandatory requirement.
2. That, in accordance with Council Procedure Rule 39, the matter be referred to full Council for consideration.

Reasons for Decision

To ensure that any new waste collection contract retains the existing weekly collection of general residual waste.

Other Options

As set out in the submitted report.

Note: This is an Executive Function  
Cabinet Member: Cllr Mulroney

**636 Exclusion of the Public**

Resolved:-

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**637 Waste Collection Contract**

The Committee received a confidential report of the Executive Director (Neighbourhoods and Environment) concerning the Waste Collection Contract which was considered in conjunction with Minute 635 above.

Resolved:

That the confidential report be noted.

Note: This is an Executive Function  
Cabinet Member: Cllr Mulroney

**Chair:** \_\_\_\_\_