



EAST
CAMBRIDGESHIRE
DISTRICT COUNCIL

REGULATORY SERVICES COMMITTEE

Minutes of the meeting of the Regulatory Services Committee held in the Council Chamber, The Grange, Nutholt Lane, Ely on 22 January 2018 at 4.30pm.

P R E S E N T

Cllr Anna Bailey (Chairman)
Cllr David Ambrose-Smith (as a Substitute)
Cllr Sue Austen
Cllr Mike Bradley (as a Substitute)
Cllr Elaine Griffin-Singh
Cllr Neil Hitchin
Cllr Chris Morris
Cllr Carol Sennitt
Cllr Jo Webber

OFFICERS

Jo Brooks – Director Operations
Janis Murfet – Democratic Services Officer
Ian Smith - Finance Manager
John Steel – Management Accountant
Anne Wareham – Senior Accountant
Dave White – Waste Services Team Leader
Members of the public - 0

28. PUBLIC QUESTION TIME

There were no public questions.

29. APOLOGIES AND SUBSTITUTIONS

Apologies were received from Councillors Julia Huffer and Hamish Ross.

Councillors David Ambrose Smith and Mike Bradley attended as Substitute Members.

30. DECLARATIONS OF INTEREST

The Chairman declared an interest in Agenda Item No.6 (Memorandum of Agreement for the Insourcing of the Waste and Street Cleansing Services), being a newly appointed Director of East Cambs Street Scene Ltd. She stated that she would vacate the Chair and leave the Chamber prior to the consideration of this item.

The Committee noted that in the absence of the Vice Chairman, it would be necessary to elect a Chairman for the duration of this item.

It was duly proposed by Cllr Bradley, seconded by Cllr Sennitt and resolved unanimously:

That Cllr Griffin-Singh should assume the Chair during the consideration of Agenda Item No.6.

31. **MINUTES**

It was resolved:

That the minutes of the Regulatory Services Committee meeting held on 6th November 2017 be confirmed as a correct record and be signed by the Chairman.

32. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman did not make any announcements.

At this point, Cllr Bailey left the Chamber and Cllr Griffin-Singh assumed the Chair.

33. **MEMORANDUM OF AGREEMENT FOR THE INSOURCING OF THE WASTE AND STREET CLEANSING SERVICES**

The Committee considered a report, reference S213, previously circulated, from which Members were asked to make a number of recommendations to Full Council for approval:

- To agree the transfer of the Council's Waste Services to East Cambs Street Scene Ltd (ECSS Ltd) from 1st April 2018;
- To approve the Memorandum of Agreement and its schedules as the basis for the insourcing of the waste and street cleansing services to ECSS Ltd; and
- The delegation of powers to the Chair or Vice Chair of the Regulatory Services Committee and the Director, Operations to make any necessary minor amendments to the Memorandum before its signature in March 2018.

The Director, Operations reminded Members that while Schedules 2, 3 and 9 of the report had been omitted from their papers, they appeared on the Council's website. She had brought a number of copies of the schedules to the meeting in case Members wished to look at them, and she reiterated that the documents were a work in progress.

It was noted that East Cambs Street Scene Ltd (ECSS) was now established and the Director, Operations was a director of the new company.

The Memorandum of Agreement and its supporting documents had been subject to specialist external legal review to validate they were fit for purpose.

The Director, Operations said she did not intend going through the Memorandum in fine detail but asked that Members bring to her attention any specific points they wished to raise.

Cllr Bradley asked that all the documents should refer to 'East Cambs Street Scene Ltd', to save any confusion in the future. He also queried why the contract was to commence on 1st April 2018; the Director, Operations advised that this was the date on which ECSS would take on the contract.

Referring to page 53, paragraph 3.6.2 of the Memorandum, Councillor Ambrose Smith asked if the wording could be amended to state '... any other person **or organisation** to use the premises'. Councillor Hitchin remarked that a person was a legal entity and the Director, Operations said she would check on this point and amend the document as necessary.

Councillor Morris pointed out a typographical error on page 6, paragraph 6.1 of the Memorandum, which stated that services would be provided from 1 April 2017; this should read **2018**.

Councillor Ambrose Smith next enquired whether there was any conflict with the County Council about the street cleaning of gullies. The Waste Services Team Leader replied that the County Council was responsible for the emptying of the gullies and the District Council's operatives swept over the top of them. Councillor Ambrose Smith requested, and the Director, Operations confirmed that this would be defined in the document.

Councillor Hitchin wished to know what was classed as 'offensive' graffiti and the Waste Services Team Leader replied that it could vary. When a person contacted the Council to complain, they would be asked the nature of the graffiti. If it related to a football club or was a 'tag', it was unlikely to be treated as offensive. However, if it was a lewd picture, swear words or personal comments, it might well be considered offensive. Councillor Bradley thought it dangerous to state that graffiti would be removed within 24 – 48 hours, as he felt that it did not allow for periods when services were unavailable. The Waste Services Team Leader responded by saying that there had been discussions about amending this to 'working days'.

Councillor Ambrose Smith, having noted that the Chairman of the Committee was also a Director of ECSS, made the point that this could potentially present problems in relation to paragraph 2.1.ii of the recommendation. The Director, Operations said he was quite correct; in its current format the Chairman would not be able to participate, but this would be taken into account if anything arose in the future.

It was resolved unanimously:

That the following be recommended to full Council for approval:

- i. That the Waste Services contract is awarded to East Cambs Street Scene Limited from 1 April 2018.

- ii. To approve the MOA and its schedules as the basis of the insourcing of waste and street cleansing services to the East Cambs Street Scene Limited from 1 April 2018.
- iii. To delegate powers to the Chair or Vice-Chair of this Committee and the Director, Operations to make any necessary minor amendments to the MOA before its signature in March 2018.

Councillor Bailey returned to the Chamber at 4.46pm and resumed the Chair for the remainder of the meeting.

34. **NEIGHBOURHOOD RECYCLING CENTRE PROVISION**

The Committee considered a report, reference S214, previously circulated, which informed Members of plans regarding the future provision of neighbourhood recycling centres.

The Waste Services Team Leader reminded the Committee that the contracts for the provision of paper, glass and plastic bottle/can recycling banks at neighbourhood recycling centres were due to end on 31st March 2018. Extension options within the contracts were offered to service providers, but there was a considerable delay in obtaining responses, and both the glass and paper bank providers declined to extend.

The delay meant that there was not now sufficient time to carry out a commercial procurement process to replace services before the contracts ended.

It was noted that there had been a considerable reduction in the amounts going to the recycling banks; there had been 747 tonnes in 2013/14, but only 217 tonnes in 2016/17.

Officers had therefore been asked to undertake a consultation of site hosts and users to assist this Committee in deciding what, if any, replacement services were to be put in place. The results of the consultation would be brought back before Members for decision.

Members noted the options available for future service provision:

- Replacement commercial contracts;
- Provision of mixed recycling banks to all current sites through directly provided waste collection services from April 2018;
- Provision of mixed recycling banks to a reduced number of sites from April 2018; and
- Removal of all sites, now that usage was reduced due to improved collection services.

Councillor Ambrose Smith asked if it was intended to mention in the consultation process the recycling figures and what the Council wished do in the future. The Waste Services Team Leader responded, saying that consultees would just be advised of the options available.

Councillor Bradley commented that many of the sites were an eyesore with recycling spilling over and he asked if there were any arrangements in place with the supermarkets. The Waste Services Team Leader replied that some of the supermarket sites, such as Tesco, were provided by ECDC, and others, such as Sainsbury's had their own. It was not intended to remove the textiles banks as they brought in income and collected materials that are not accepted by collection services.

Councillor Griffin-Singh wondered what would happen if just one service provider wanted to extend their contract, and she was advised that contract extension would only be possible if all providers were willing to extend. Otherwise it would be necessary to provide banks directly for mixed materials.

In response to a comment from Councillor Hitchin regarding recycling rates, the Waste Services Team Leader reminded Members that some people had refused to have waste collection bins when they were first introduced and might accept them if the alternative of banks was removed.. He hoped that not much recyclable material would go into black bags, with people using collection services or household recycling centres as alternatives. If sites were removed material was more likely to be left at sites initially while people got used to them not being there, and additional cleansing arrangements would be required.

The Chairman suggested that if the recycling banks were removed, the Council could write in advance to those people who had declined bins to try and encourage them to now have them. She thought it would be interesting to see the feedback from the parishes and communities.

There being no further comments or questions,

It was resolved:

That the report and the comments made thereon be noted.

35. **BUDGET MONITORING REPORT**

The Committee considered a report, reference S215, previously circulated, which updated Members on budget monitoring information for services within the remit of the Regulatory Services Committee.

The Finance Manager commenced by introducing two new members of his team: John Steel, Management Accountant, and Anne Wareham, Senior Accountant. It was noted that they would present the budget monitoring report at future meetings of the Committee.

The Management Accountant informed the Committee that this was the third report for the 2017-18 financial year and it projected an under spend of £430,000. The explanations for the forecast outturn variances reported were set out in the table in paragraph 3.4 of the report.

The revised capital budget was £2,351,922 and it was currently expected that there would be a carry forward of £150,000 on the Disabled Facilities Grant budget. As in previous years, the Committee would be asked to allow this

funding to be carried forward, to be used to complete projects that had been commissioned in year but not completed until the new financial year.

Councillor Morris congratulated Officers on what he considered to be very good savings, and the Chairman added that the contribution of the Planning Team should be recognised. Whereupon, It was resolved unanimously:

- 1) To note that this Committee is projected to end the year with a saving on its approved revenue budget of £430,000, this is a combination of underspends on expenditure budgets and additional income on income budgets.
- 2) To note that this Committee has a projected capital programme outturn of £2,201,922.

36. **FORWARD AGENDA PLAN**

The Committee noted its forward agenda plan.

The meeting concluded at 5.01pm.