

# NORTH HERTFORDSHIRE DISTRICT COUNCIL

## CABINET

MEETING HELD IN THE EAST HERTFORDSHIRE DISTRICT COUNCIL OFFICES,  
WALLFIELDS, PEGS LANE, HERTFORD ON MONDAY, 16 OCTOBER, 2017 AT 7.00 PM

## MINUTES

**Present:** *Councillors Councillor Lynda Needham (Chairman), Councillor Julian Cunningham (Vice-Chairman), Tony Hunter, David Levett, Bernard Lovewell, Ray Shakespeare-Smith and Michael Weeks*

**In Attendance:**

*David Scholes (Chief Executive), Ian Couper (Head of Finance, Performance and Asset Management), Vaughan Watson (Head of Leisure and Environmental Services), Anthony Roche (Deputy Chief Executive), Gavin Ramtohal (Contracts Lawyer), Chloe Hipwood (Service Manager - Waste and Recycling), Sarah Kingsley (Communications Manager) and Hilary Dineen (Committee and Member Services Officer)*

**Also Present:**

*Councillors Cathryn Henry (Chairman of the Overview & Scrutiny Committee), Fiona Hill and Steve Jarvis.  
Members of East Hertfordshire District Council  
Officers of East Hertfordshire District Council  
3 members of the public.*

### 39 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Jane Gray.

### 40 NOTIFICATION OF OTHER BUSINESS

There was no other business notified.

### 41 CHAIRMAN'S ANNOUNCEMENTS

- (1) The Chairman extended a special welcome to Members of East Hertfordshire District Council's Executive and East Hertfordshire District Council officers who were invited guests;
- (2) Members were advised that this was a simultaneous meeting of the East Hertfordshire District Council's Executive and North Hertfordshire District Council's Cabinet. The start of the meeting would be simultaneous and then the two Councils would separate into different rooms for the discussion and voting on matters in the reports before Members;
- (3) The Chairman announced that Members of the public and the press may use their devices to film/photograph, or do a sound recording of the meeting, but she asked them to not use flash and to disable any beeps or other sound notifications that emitted from their devices;
- (4) Members were advised that the meeting was being web cast by East Hertfordshire District Council and audio recorded by North Hertfordshire District Council;

**Monday, 16th October, 2017**

- (5) The Chairman reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question; and
- (6) The Chairman asked that, for the benefit of any members of the public present at the meeting, Officers and Members announce their name and their designation to the meeting when invited to speak.

## **42 PUBLIC PARTICIPATION**

### Councillor Fiona Hill

Councillor Hill advised that, although Members were discussing the whole proposal for a shared service for waste and street cleansing, her presentation was directly related to recommendation 2.3 regarding a weekly food collection and a charged garden waste collection service from May 2018. This was assumed to be £40 per year and she had a number of concerns regarding this proposal.

She queried whether, when comparing the potential impacts with Councils that had already introduced charges, comparisons had been undertaken with any similar authorities and whether there had been any impact on fly tipping, particularly as North Herts was a very rural area.

If residents chose to make alternative arrangements for the disposal of green waste, would this impact on NHDC recycling rates, which were currently well above average and would this increase waste going to landfill.

She expressed concern regarding those residents who would like to recycle garden waste, but were suffering from genuine financial hardship and had no access to recycling centres.

Certain assumptions had been made when calculating efficiencies and she queried whether the calculations had included whether the same vehicle would be used to collect food and garden waste or if separate vehicles were used.

Some authorities had taken the decision to reduce garden waste collections in winter months, which she assumed had been investigated.

Councillor Hill appreciated that the Council needed to balance finances in a difficult climate and that garden waste collection was not statutory however, any removal or change of any existing service was viewed as a retrograde step and residents would be understandably concerned.

Communication regarding the proposals had not been entirely clear during the consultation and there had been a great deal of inaccurate information circulating, particularly on social media which had caused confusion and worry for many residents.

Councillor Hill asked Members to seriously consider the points she had made when considering their decision.

The Chairman thanked Councillor Hill for her presentation.

### Dr Carol Stanier

Dr Stanier informed Members that she was the Chair of Royston Liberal Democrats branch and a member of North Herts Liberal Democrats group and that she wished to address the proposed garden waste removal charges.

**Monday, 16th October, 2017**

The Council's consultation was made during holiday period when many people were away or otherwise distracted from news and current events. In Royston in August she was surprised that people were still saying they had heard nothing about the subject, even though there had been news stories and believed that many more people may have responded if the consultation had taken place at another time or been more widely publicised.

Out of the around 5,000 responses the consultation received from North Herts and 2500 from East Herts, 85 percent opposed the introduction of charges and only 26 percent said that they would be likely to use the service if they had to pay for it. This was a very large percentage of respondents who were against the proposal and ignoring these voices would be undemocratic.

Furthermore, North Herts Liberal Democrats ran a petition against the proposed charges and the outcome was that approximately 90 percent of those spoken to signed the petition straightaway with further signatures being gathered online as a result of these sessions. A copy of this petition, containing 1,081 signatures, mostly from those that did not respond to the consultation, had been sent to all Cabinet Members.

All of these responses demonstrated a great strength of feeling against the proposal to charge for garden waste removal and it was hoped that Cabinet would bear in mind the sheer weight of numbers objecting to this proposal when they made their decision.

She expressed concern for those who would find it difficult to get to a household waste recycling centre, primarily the elderly, disabled, and those who do not drive for other reasons. The proposed charge would discriminate unfairly against those who may need the service most.

Assisted collections were mentioned in the Equality Impact Assessment, but presumably the recipients would still need to pay for collection and this would not be applicable to non drivers who were able bodied. She questioned how many Councillors had attempted to take a sack full of brambles to the tip on the bus and was concerned that the council did not appear to have considered exemptions or reductions for these groups of people.

Dr Stanier concluded by stating that householders had a service that they paid for with their council tax which it was proposed be removed and then an extra charge be introduced to have that service back, with no mention of a corresponding reduction in council tax.

She asked Members to listen to residents' feedback and not implement a charge to collect garden waste.

In response to a question Dr Stanier advised that she was not certain as to whether a notification had been delivered to every household in North Hertfordshire regarding the consultation, but even if it had happened, it could easily have been ignored by those who had received a lot of post whilst on holiday.

The Chairman thanked Dr Stanier for her presentation.

## **43 ORDER OF BUSINESS**

Cabinet considered Items 9 and 10 (Minutes 48 and 49 refer) prior to consideration of Items 5, 6 and 7 (Minutes 44, 45 and 46 refer).

Each report was first considered by the simultaneous meeting of North Hertfordshire District Council Cabinet and East Hertfordshire District Council Executive.

The simultaneous meeting was suspended and the North Hertfordshire District Council Cabinet reconvened in a separate room within the building to continue the debate and consider the recommendations for each report.

For clarity each Minute below uses sub-headings to identify which parts of the debate were during the simultaneous meeting (Simultaneous Meeting) and which parts were discussed after the meeting of the North Hertfordshire District Council Cabinet (NHDC Only Cabinet Meeting) had reconvened.

**44 ITEM REFERRED FROM OVERVIEW AND SCRUTINY COMMITTEE: 9 OCTOBER 2017 - SHARED SERVICE FOR WASTE AND STREET CLEANSING - SELECTION OF OPTIONS**

RESOLVED: That consideration of this referral takes place in conjunction with agenda item number 7 (see Minute 46 below).

**45 SHARED SERVICE FOR WASTE AND STREET CLEANSING - APPOINTMENT OF CONTRACTORS**

Simultaneous Meeting

The Executive Member for Waste, Recycling and the Environment introduced the report of the Head of Leisure and Environmental Services and the Head of Finance, Performance and Asset Management entitled Shared Service Waste and Street Cleansing – Appointment of Contractors and the associated Appendix 1 – Evaluation Methodology.

The Executive Members for Waste, Recycling and the Environment thanked officers from both Councils for their hard work in getting to the point where these reports could be considered.

The Head of Leisure and Environmental Services, together with other officers from both NHDC and EHDC gave a comprehensive PowerPoint presentation regarding the report entitled Shared Service Waste and Street Cleansing – Appointment of Contractors.

Members were advised of the background that led to the decision for North Hertfordshire District Council to consider a shared waste service with East Herts District Council.

Officers outlined the main issues contained in the report as follows:

- There had been detailed and comprehensive evaluation of the bids;
- The main driver in considering the waste service contract was financial;
- The main depot for contractors would be Buntingford and this would also be the location of the new shared client team;
- Paragraph 8.2 showed the quality and price scores for Lot 1, which demonstrated that bidder B achieved the highest score;
- If Members were minded to support the recommendations, the aim was to let the contract for Lot 1 in mid November 2017.

In response to questions from Members, the Head of Leisure and Environmental Services advised that once the contract had been mobilised, vehicles purchased and staff employed, any changes would reduce the financial benefits and that bids had been assessed against quality method statements and bidders had to score 3 out of 5. Therefore all of the bidders met a required level of quality.

The Service Manager – Waste and Recycling informed Members that there was a risk of the Council incurring costs if the contract was not mobilised in a timely manner.

NHDC Only Cabinet Meeting

It was proposed and seconded that officers involved in this project, from both authorities, be sincerely thanked for their efforts in bringing this joint contract about.

**RESOLVED:**

- (1) That, on condition that East Hertfordshire District Council also accepts, the MEAT for Lot 1 be accepted;
- (2) That, providing the condition in (1) above is satisfied, the Chief Executive, in consultation with the Executive Member for Waste, Recycling and the Environment, be authorised to accept the MEAT for Lot 2;
- (3) That the Head of Leisure and Environmental Services be authorised to issue notification of intention to award contracts to the bidders that submitted the MEAT for Lot 1 and Lot 2 respectively;
- (4) That, upon conclusion of the stand still periods, the Head of Leisure and Environmental Services be authorised to award contracts to the bidders that submitted the MEAT for Lot 1 and Lot 2 respectively;
- (5) That it be put on record that, Cabinet sincerely thanks all Officers involved in this project, from both authorities, for their efforts in bringing this joint contract about.

**REASON FOR DECISION:** To achieve efficiency savings in respect of the Waste and Street Cleansing contract without a reduction in the quality of service.

**46 SHARED SERVICE FOR WASTE AND STREET CLEANSING - SELECTION OF OPTIONS**

Simultaneous Meeting

Members received a comprehensive PowerPoint presentation from officers regarding the report of the Head of Leisure and Environmental Services and the Head of Finance, Performance and Asset Management entitled Shared Service Waste and Street Cleansing – Selection of Options, the associated Appendix A – Equalities Impact Assessment and the addendum.

Officers outlined the main issues contained in the report as follows:

- There were options that were dependent on both authorities agreeing as well as independent options;
- Of the options that were dependent on agreement, three options had been considered being separated paper, separated glass and fully comingled;
- The evaluation process of the options undertook to achieve financial benefits and therefore a fully comingled service was not recommended;
- Consultants suggested that, whilst there would continue to be fluctuation in prices, the relative differences in price would be likely to continue;
- In respect of the consultation undertaken, the vast majority of those who responded stated that they were willing to separate materials;
- In respect of the independent options, NHDC had considered kerbside collection of small WEEE and batteries;
- Feedback from the consultation indicated that 85 percent of respondents disagreed with charging for green waste, although 26 percent had stated that they would likely pay;
- Similar feedback had been received by a 'Nearest Neighbour' authority, although take up of the service has subsequently reached 74 percent;
- From a survey of charging local authorities the average of the charge made for the collection of green waste was £46 per annum, it was considered that NHDC make a charge of £40 per annum;
- Discussions had been held with partners and neighbouring authorities regarding the effect of charging for the collection of green waste on recycling rates and fly-tipping and there was no evidence of any major problems in the area;

**Monday, 16th October, 2017**

The Chairman of the Overview and Scrutiny Committee presented a referral from that Committee, made at its meeting held on 9 October 2017, in respect of Shared Service for Waste and Street Cleansing – Selection of Options (Minute 43 refers).

***RECOMMENDED TO CABNET:***

- (1) That Cabinet be requested to give due weight to the feedback from the public consultation that 85 percent of residents disagreed or strongly disagreed with introducing a chargeable garden waste service alongside weekly food waste collections;
- (2) That, if minded to charge for the collection of garden waste, every effort be made to communicate to the public the reasons for doing so.

The Executive Member for Waste, Recycling and the Environment introduced the report of the Head of Leisure and Environmental Services and the Head of Finance, Performance and Asset Management entitled Shared Service Waste and Street Cleansing – Selection of Options and the associated Appendix A – Equality Impact Assessment.

The Head of Leisure and Environmental Services drew attention to the following:

Paragraph 2.2

This related to the decision as to whether to separate glass or paper and any delays in making that decision could have significant impacts on the contract.

Section 5

There had been 5,000 responses to the consultation looking at both the dependant and independent options.

Paragraph 8.5

This table demonstrated that there had been a reduction in the amount of paper recycling over the last 4 years.

Paragraph 8.8

Cabinet was asked to agree, in principle, whether to separate glass or paper, once the financial impact was known.

Paragraphs 8.9 – 8.12

Cabinet was asked to:

- continue with kerbside textile collection;
- agree to the kerbside collection of batteries;
- note the option for the kerbside collection of WEEE and that this should be kept under review for possible introduction at a later date.

Paragraphs 8.21 – 8.29

There was an independent option to implement charging for garden waste, which would be accompanied by a change to separate weekly food collection.

Any income would be collected by the contractor on behalf of the Council and reconciled on a monthly basis.

There would be an up front cost of purchasing caddies associated with the weekly collection of food, estimated to be £2.50 per unit.

The feedback from the public consultation was that 85 percent of residents who responded disagreed or strongly disagreed with introducing a chargeable garden waste service, however 32 percent of those who disagreed and 19 percent of those who strongly disagreed said they would likely use the service.

**Monday, 16th October, 2017**

A 'Nearest Neighbour' who had implemented the service had received similar responses, however the actual proportion of residents using the service was 74 percent of eligible properties.

Although there was a risk of increased fly-tipping, data from the same authority showed there had been no noticeable increase.

Paragraph 8.32

Showed how many councils were now charging for green waste.

Paragraph 8.35

Cabinet was asked to agree the introduction of garden waste charging and consider the level of that charge in the first year.

In response to questions from Members, the Contracts Lawyer confirmed that everyone who had expressed an interest had been given the opportunity to tender.

The Head of Finance, Performance and Asset Manager advised that the contracts for Lot 1 and Lot 2 were tendered separately and it would have been a high risk strategy for any bidder to offer a low bid for Lot 1 with a view to increasing profits on the Lot 2 bid and that there had been a full tender exercise that had been open to the whole market.

The Service Manager – Waste and Recycling informed Members that Hertfordshire County Council had provided officers with information relating to other Hertfordshire authorities that had introduced charging that showed there would be an increase in the use of household waste recycling centres.

NHDC Only Cabinet Meeting

Members considered the recommendations from the Overview and Scrutiny Committee and agreed that the Council should make every effort to explain the service and the reasons for implementation. To this end a communication plan should be drawn up regarding the implementation of the planned chargeable garden waste collection.

In respect of the recommendation that Cabinet give due weight to the feedback Members commented that they had certainly done so, whilst also giving due weight to the financial pressures that NHDC, along with all other Councils, were facing and the need to provide an affordable service

**RESOLVED:**

- (1) That a change in the way materials are collected, from separated paper to separated glass, be agreed in principle, on condition that this provides material financial savings;
- (2) That, once the financial impact of (1) above is known, and following consultation with East Hertfordshire District Council, determination of the collection option be delegated to the Chief Executive, in consultation with the Executive Member for Waste Management, Recycling and Environment;
- (3) That the introduction of weekly food waste collections and a chargeable garden waste collection service for the new contract, commencing on 9 May 2018 be agreed and that the charge for garden waste collection be £40 per annum;
- (4) That the provision of kerbside textile collections be continued;
- (5) That the separate collection of batteries from the kerbside be agreed for the new contract commencing on 9 May 2018;

**Monday, 16th October, 2017**

- (6) That, following further liaison with the preferred bidder, determination of the viability of the kerbside collection of WEEE be delegated to the Head of Leisure and Environmental Services;
- (7) That, in respect the recommendation from the Overview and Scrutiny Committee, Cabinet considered the views expressed in the feedback from the consultation and to the financial pressures that NHDC, along with all other Councils, are facing and the need to provide an affordable service and gave them due weight;
- (8) That, the Communications Manager be requested to ensure that a comprehensive communication plan is drawn up regarding implementation of the planned chargeable garden waste collection.

**RECOMMENDED TO COUNCIL:** That, unless alternative sources of funding for this purpose can be identified, £126,000 be added to the capital programme for the purchase of food waste caddies that will allow the weekly collection of food waste.

**REASON FOR DECISION:** To provide significant efficiency savings, additional services to residents and to promote recycling therefore supporting the Council's KPI to achieve 60 percent recycling.

#### **47 EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:** That under Section 100A of the Local Government Act 1972, the Press and Public be excluded from the meeting on the grounds that the following reports would involve the likely disclosure of exempt information as defined in the relevant Paragraph of Part 1 of Schedule 12A of the said Act. The relevant Paragraph is set out in the first page of each report.

#### **48 SHARED SERVICE FOR WASTE AND STREET CLEANSING - APPOINTMENT OF CONTRACTORS**

##### Simultaneous Meeting

The Executive Member for Waste, Recycling and the Environment introduced the report of the Head of Leisure and Environmental Services and the Head of Finance, Performance and Asset Management entitled Shared Service Waste and Street Cleansing – Appointment of Contractors and the associated Addendum.

##### NHDC Only Cabinet Meeting

**RESOLVED:** That the financial and legal implications of accepting the Lot 1 bid as set out in the report be noted.

**REASON FOR DECISION:** To achieve efficiency savings in respect of the Waste and Street Cleansing contract without a reduction in the quality of service.

#### **49 SHARED SERVICE FOR WASTE AND STREET CLEANSING - SELECTION OF OPTIONS**

##### Simultaneous Meeting

The Executive Member for Waste, Recycling and the Environment introduced the report of the Head of Leisure and Environmental Services and the Head of Finance, Performance and Asset Management entitled Shared Service Waste and Street Cleansing – Selection of Options.



NHDC Only Cabinet Meeting

Following further detailed debate it was

**RESOLVED:**

- (1) That a change in the way materials are collected, from separated paper to separated glass, be agreed in principle, on condition that this provides material financial savings;
- (2) That, once the financial impact of (1) above is known, and following consultation with East Hertfordshire District Council, determination of the collection option be delegated to the Chief Executive, in consultation with the Executive Member for Waste Management, Recycling and Environment;
- (3) That the introduction of weekly food waste collections and a chargeable garden waste collection service for the new contract, commencing on 9 May 2018 be agreed and that the charge for garden waste collection be £40 per annum.
- (4) That the provision of kerbside textile collections be continued;
- (5) That the separate collection of batteries from the kerbside be agreed for the new contract commencing on 9 May 2018;
- (6) That, following further liaison with the preferred bidder, determination of the viability of the kerbside collection of WEEE be delegated to the Head of Leisure and Environmental Services;
- (7) That it be noted that there is not a realistic option for the Council to purchase the vehicles.

**RECOMMENDED TO COUNCIL:** That, unless alternative sources of funding for this purpose can be identified, £126,000 be added to the capital programme for the purchase of food waste caddies that will allow the weekly collection of food waste.

**REASON FOR DECISION:** To provide significant efficiency savings, additional services to residents and to promote recycling therefore supporting the Council's KPI to achieve 60 percent recycling.

The meeting closed at 9.08 pm

Chairman