

Time began: 6.00pm  
Time ended: 6.17pm

**COUNCIL CABINET**  
**10 December 2014**

Present                      Councillor Banwait (Chair)  
                                    Councillors Afzal, Hussain, Rawson, Repton Russell and  
                                    Shanker

In attendance              Councillors Graves, Hickson and Jones

This record of decisions was published on 12 December 2014. The key decisions set out in this record will come into force and may be implemented on the expiry of five clear days unless a key decision is called in.

**104/14      Apologies**

An apology for absence was received from Councillor Martin.

**105/14      Late Items Introduced by the Chair**

There were no late items.

**106/14      Receipt of Petitions**

There were no petitions received.

**107/14      Identification of Urgent Items to which Call In will not  
apply**

There were no items.

**108/14      Declarations of Interest**

There were no declarations of interest.

**109/14      Minutes of the meeting held on 19 November 2014**

The minutes of the meeting held on 19 November 2014 were agreed as a correct record and signed by the Chair.

## Key Decisions

### 110/14      Reviewing the Collection of Recyclables in the Blue Bin and Household Waste and Recycling Centre

The Council Cabinet considered a report on Reviewing the Collection of Recyclables in the Blue Bin and Household Waste and Recycling Centre. In 2013 Council Cabinet approved the co-mingling of recyclate in a larger blue bin to simplify the system for householders and to achieve financial savings that would contribute to the Council's overall savings needed due to Government cuts. It was recognised at that time that the Waste Regulations might be a factor going forward and that there would be a need for the separate collection of recyclables unless technical, economic and environmental practicalities (TEEP) prevented this.

Government had not provided any guidance to local authorities on this matter however, the Waste Resources and Action Programme (WRAP) had developed a 'Route Map' with a working group comprising WRAP, the London Waste and Recycling Board (LWARB) and the Waste Network Chairs. WRAP was set up in 2000 to help recycling take off in the UK and to create a market for recycled materials. WRAP worked closely with businesses, associations, government bodies and consumers to fulfil its aims and objectives. Over the last decade, it had helped and continued to help governments devise strategies to deal with these issues through their expertise, research and practical advice. All local authorities were expected to be using this "Route Map" in order to review their collection and processing systems, to establish their compliance with the regulations and to assist with determining if TEEP issues applied to their services.

In addition, operators of Materials Recycling Facilities (MRF) must now comply with a code of practice and along with Local Authorities the objective was to produce recyclables of the "highest quality". This would entail all Local Authority inputs to an MRF being regularly checked for acceptable and unacceptable materials as well as all the MRF's outputs likewise being checked for recyclable and non-recyclable materials. This information had been placed on a database managed by the Environment Agency since 1 October 2013.

The Environment Agency had been charged with managing these matters and they had recently given an indication on how they propose to deal with these responsibilities in ensuring compliance with the Waste Regulations 2013

### **Options Considered**

Not applicable as the City was likely to be challenged as to its collection methodology if it was deemed by the Environment Agency not to be compliant with the Waste Regulations 2013.

## **Decision**

1. To analyse all data produced detailing the City's recyclable inputs and our contractor (BIFFA) outputs from its MRF at Aldridge.
2. To analyse all data produced detailing the City's recyclable inputs and our contractor (RRS) outputs from the Household Waste and Recycling Centre at Raynesway.
3. To review the outcome of this data and should it be necessary, liaise with the Environment Agency and develop a collection approach that ensures that the City is compliant with the Waste Regulations 2013.
4. To agree the adoption of WRAP's 'Route Map' as the method for analysing our existing recyclables collection system and HWRC and comparing it with other options, with a view to returning to Council Cabinet should any changes to how we collect and manage recyclables so as to comply with the regulatory framework required by the Environment Agency and report back to Council Cabinet when the relevant research and data had been analysed.

## **Reasons**

1. The blue bin collection system was a cost efficient, easy to use service which was popular with Derby's householders. However, as the implications of the Waste Regulations 2013, the MRF Code of Practice and how the Environment Agency would manage their responsibilities had now become more apparent, this approach needed to be reviewed, to enable the Council to continue to justify the TEEP exemption, or else identify the need for a change to the approved system of mixed recyclable collection.
2. Raynesway Household Waste and Recycling Centre allowed the public to deliver waste and recycle which was separated on site and then sent onward for processing. The regulations required us to ensure this route also produces recycle of the highest quality.
3. Following the 'Route Map' would enable the City to objectively challenge itself in its current blue bin collection system and HWRC recycling approaches and allow the Council to ensure that not only was it providing good quality, value for money services for the residents of Derby, going forward that it was also compliant with the Waste Regulations 2013.

## **111/14 The Derbyshire and Derby City Joint Municipal Waste Management Strategy**

The Council Cabinet considered a report on The Derbyshire and Derby City Joint Municipal Waste Management Strategy.

The Derbyshire and Derby Joint Municipal Waste Management Strategy (DJMWMS) 'Looking after Derbyshire's Waste' was originally developed and adopted in 2006 by Derbyshire County Council, Derby City Council and all eight District and Borough

Councils in Derbyshire. The DJMWMS was a partnership document and provided a framework for the development and delivery of waste management services in Derbyshire and Derby over the period 2006-2026. The DJMWMS was subject to a five yearly review to ensure the priorities were in line with policy and legislation. In accordance with this programme a review was scheduled for 2011 which began during 2012.

A review of this strategy had been undertaken in partnership with Derbyshire County Council and the district/borough councils of Derbyshire. The review had focused on waste prevention, recycling and composting rather than on treatment and disposal of waste that could not be recycled and composted which formed a part of the current waste management contract with Resource Recovery Solutions (Derbyshire) Ltd.

### **Options Considered**

The City's action plan took note of the options considered in Appendix 3 of the report and identified the most practical ways in which household recycling re-use and composting could be enhanced across the City in the coming 4 years.

### **Decision**

1. To adopt the revised Derbyshire and Derby Joint Municipal Waste Management Strategy 2006 – 2026 (Appendix 6 of the report);
2. To approve the proposed City Council Waste Action Plan (Appendix 5 of the report).

### **Reason**

To enable the City Council to continue its programme of raising awareness regarding recycling, reuse and waste minimisation along with an annual review of the effectiveness of the systems that it uses, with a view to meeting its long term targets and goals.

## **Contract and Financial Procedure Matters**

### **112/14 Contract and Financial Procedure Matters**

The Council Cabinet considered a report on Contract and Financial Procedure Matters. The report dealt with the following items that required reporting to and approval by Council Cabinet under Contract and Financial Procedure rules:

- Changes to the current 2014/15 – 2016/17 capital programme
- Allocation of Section 106 money
- Allocation of funding to the Derby Women's Centre
- Expression of interest to Veolia Environmental
- Transfer to reserves
- Use of section 106 revenue funding
- Approval to award contract

## **Decision**

1. To approve changes, additions and progression of these on the capital programme as set out in Appendix 2 and highlighted in section 4 of the report.
2. To note the revised programme for 2014/15 in table 1 (paragraph 4.1) and the revised indicative programme for 2014/15-2016/17 as shown in table 2 (paragraph 4.6) of the report.
3. To approve one off capital contribution to Derby Women's Centre of up to £25,000 as detailed in paragraph 4.5 of the report.
4. To approval an expression of interest to Veolia Environmental Trust for £25,000 funding towards a refurbishment of the Rocket Park play area Sinfen as detailed in paragraph 4.4 of the report.
5. To approve the transfer of the Section 106 funding to Derbyshire County Council as detailed in section 5 of the report.
6. To approve the movement in reserves as detailed in section 6 of the report.
7. To note the use of section 106 revenue funding and to approve the transfer to reserves as detailed in section 7 of the report.
8. To approve the award of contracts for the provision and management of facilities and the lease of grounds and buildings for Varsity Grange facilities for a period of up to 15 years in duration subject to tender and compliance with contract procedure rules (as detailed in section 8) of the report.

## **113/14 Exclusion of the Press and Public**

To consider a resolution to exclude the press and public during consideration of the following items

“that under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of the following item on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information”

## **Key Decision**

### **114/14 Information Systems – IS Service Review**

The Council Cabinet considered a report on Information Systems – IS Service Review.

#### **Options Considered**

These were set out in paragraphs 5.1 – 5.4 of the report.

## **Decision**

1. To commence a managed exit of the Serco contract by:
  - a. Procuring those services that the Council does not have the capacity or economy of scale to deliver internally as listed in paragraph 4.4 of the report.
  - b. Transferring those services back in-house that the Council can deliver effectively or where it is important the Council retains more control of as listed in paragraph 4.2 of the report.
  - c. Enhancing the skills within the IS department to manage contracts and suppliers more effectively.
  - d. Starting an incremental and phased transition of services currently provided by Serco from January 2015 to reduce risk and offer a smooth exit path.
  - e. To work towards achieving such a transfer of service provision by 1 October 2015.
2. To reject the following options
  - I. A single contract covering the full basket of services based upon a rigid fixed term and ownership of core infrastructure assets (ie the current Serco contract model).
  - II. Delivery of the full IS service through establishing a shared service with other Authorities due to: lack of appetite within the market: the costs of establishing such: and the mixed success of shared service arrangements elsewhere. Joint procurements, shared contracts and specific shared service opportunities will however be explored where these are practical and could deliver savings.
  - III. Early exit of the entire Core Serco contract in a shorter 6 month period, unless such occurs as a result of further financial problems for Serco.
3. To commence preparing contingency plans for what might happen should Serco's financial problems persist or become worse, or if they fail to succeed with a £ 550 million share rights issue they have announced.
4. To achieve the best possible negotiated exit from the Serco contract and de-risk the contract end. If this cannot be achieved to then reconsider the costs and time involved with following breach of contract procedures.

5. To consider the prolonged failure to deliver the e-Services platform and to agree, that if necessary the Council should use its contractual right of step-in to complete the delivery of the mobile portal and of an authentication and verification solution directly.
6. To delegate authority to the Strategic Director of Resources and the Director of Information Systems following consultation with the Cabinet Member for Governance and Transformation to award contracts for the respective components of the IS service within the proposed budget.
7. To ensure that in implementing new arrangements the Council can continue to provide information system services that are needed to facilitate traded services with schools or to other potential partners and customers and can deliver such as part of a blended package of professional services (eg Finance, Human Resources, and Legal Services etc.).
8. To establish a strong internal IS client function comprising:
  - a. A technical project resource capable of replacing the technical project resources currently supplied by Serco combining systems analysts, technical and solution architecture, technology project management and systems implementation technicians: and
  - b. A business engagement and supplier management function that acts as the key conduit between the needs and demands of the business and ability to get the most of both suppliers and of new and emerging technology.

## **Reasons**

These were set out in paragraphs 3.1 – 3.20 of the report.

MINUTES END