

SUBJECT	Waste Contract – Joint Working
REPORT OF	Cllr Luisa Sullivan (SBDC)
RESPONSIBLE OFFICER	Steve Bambrick – Director of Services (CDC & SBDC) Chris Marchant – Head of Environment (CDC & SBDC) Caroline Hughes – Head of Environment (WDC)
REPORT AUTHOR	Sue Markham, Sally Gordon
WARD/S AFFECTED	All

Members of the Environment PAG are asked to advise the Portfolio Holder on the recommendations to Cabinet set out below. A related report considering the procurement options follows in the exempt section of the agenda.

1. Purpose of Report

To seek the approval of the Cabinet for South Bucks District Council, Chiltern District Council and Wycombe District Council to work together to procure the delivery of waste collection, recycling and street cleansing services at the expiry of the current contracts with Serco and Biffa.

RECOMMENDATIONS:

1. That the Cabinet:

(i) Notes the report;

(ii) Agrees the longer term strategy to procure a three way single joint contract for South Bucks District Council, Chiltern District Council and Wycombe District Council;

(iii) Agrees to enter into an Inter District Authority Agreement (IDAA) reflecting the Heads of Terms at Appendix 1;

(iv) Delegates authority to the Head of Environment in consultation with the Head of Legal and Democratic Services and the relevant Portfolio Holder to approve the detailed terms of the IDAA.

2. Reasons for Recommendations

2.1. A formal decision must be made by 3rd September 2018 as to whether the current Serco contract should be extended by Chiltern and Wycombe Councils or whether a new waste contract should be procured.

2.2. The councils have a duty to collect waste and to cleanse the highways under the Environmental Protection Act, 1990.

- 2.3. The recommended way forward of a single, three-way, joint contract seeks to manage risks and optimise opportunities for greater joint working while ensuring continuity of service provision.
- 2.4. The Chiltern, South Bucks & Wycombe Joint Waste Collection Committee considered this report on 23 April and supports the recommendation to procure a three-way joint contract.

3. Background

- 3.1. A contract option review has been carried out to look at the contracting options going forward for the three southern districts' waste and cleansing services. Eunomia Research and Consulting Ltd were commissioned to conduct a piece of work to present and evaluate the options and the results were presented to Portfolio Holders at a workshop on 14th March 2018. A member decision is now required regarding the way forward for the Serco and Biffa contracts and whether there is a commitment to ultimately procure a three way contract for Chiltern, South Bucks and Wycombe District Councils.
- 3.2. Irrespective of the 'minded to' status of the unitary decision at the time of writing this report, the district councils have a statutory duty to collect waste and to provide street cleansing under the Environmental Protection Act, 1990, and commissioning arrangements for these services need to be made in a timely fashion.

4. Benefits of Joint Working

- 4.1. Chiltern and Wycombe have benefited from the joint working which commenced with the procurement of the Serco contract. The technical, legal, financial and procurement expertise of officers from across both authorities was combined to deliver a successful procurement. The outcome was a joint waste contract which yielded significant savings for those two authorities. The commitment of the two authorities to work together on this was made known to the market in the OJEU notice and made the subsequent contract package attractive to bidders. This was confirmed during the dialogue phase of the procurement process and was well received by the bidders, particularly the fact that there would be a single point of contact for the purposes of contract management.
- 4.2. Efficiencies have been delivered through the contract and through the formation of the joint waste team, which now oversees the services for all three southern districts.
- 4.3. The Joint Waste Collection Committee has updated its governance procedures to include South Bucks and Members have worked well together.
- 4.4. The Joint Waste team currently delivers contract management, policies, processes and project delivery across the two contracts, (Serco and Biffa). Greater efficiencies and streamlined processes can be achieved if the team ultimately manages one contract, going forward.

5. Inter District Authority Agreement (IDAA)

- 5.1. It is important that all districts intending to participate in the procurement of a joint contract sign an IDAA at the earliest opportunity. The IDAA will provide details of the joint funding arrangements, key milestone dates, legal and contractual terms, and points at which individual authorities may withdraw.
- 5.2. The suggested Heads of Terms are attached at Appendix 1.

6. Next Steps

- 6.1. Progress the IDAA between all three Councils.

Background Papers:	None – report exempt from publication.
---------------------------	---