



JOINT WASTE AND RECYCLING COMMITTEE MEETING

Friday 6 April 2018 – 3:00pm

Council Chamber, Town Hall, Bexhill

Minutes of the Joint Waste and Recycling Committee meeting held in the Council Chamber at Town Hall, Bexhill on Friday 6 April 2018 at 3:00pm.

Joint Waste and Recycling Committee Members present: Councillors C. Fitzgerald (HBC) (Chair), A. Ganly (RDC) (Vice-Chair), P. Chowney (HBC), D. Elkin (ESCC substitute), R. Galley (WDC), M. Kenward (RDC) and R. Standley (WDC).

Other Members present: Councillor M.R. Watson (RDC).

Advisory Officers present:

| | |
|------------------------------------|---|
| East Sussex County Council: | Assistant Director Operations and Contract Management, Head of Transport and Operational Services and Waste Team Manager. |
| Hastings Borough Council: | Director of Operational Services, Assistant Director Environment and Place, Marketing and Major Projects Manager and Waste and Cleansing Manager. |
| Rother District Council: | Executive Director (Lead Director), Executive Director (Secretary), Assistant Director Resources, Neighbourhood Services Manager and Democratic Services Officer. |
| Wealden District Council: | Lead Head of Service and Waste Management Officer. |
| Central Client Team: | Joint Waste Partnership Manager and Deputy Project Manager. |

Publication Date: 17 April 2018

The decisions made under PART II will come into force on 25 April 2018 unless they have been subject to the call-in procedure.

The Chair welcomed Councillors J. Dow and G. Mattock from Eastbourne Borough Council and Jane Goodall – Strategy and Partnership Lead for Quality Environment from Lewes District and Eastbourne Borough Councils to the meeting to consider and discuss Agenda Item 7.1 only.

JWRC17/22. MINUTES

The Chair was authorised to sign the minutes of the meeting held on 15 December 2017 as a correct record of the proceedings.

JWRC17/23. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor N. Bennett (ESCC) and Isabel Garden – Director of Environment and Community Services (WDC).

PART II – EXECUTIVE DECISIONS – subject to call-in procedure under Item 10 of the Joint Waste and Recycling Committee Constitution by no later than 4:00pm on 24 April 2018.

JWRC17/24. **COLLECTION AND DISPOSAL OF DRY MIXED RECYCLING (7.1) (INCLUDING GLASS)**

The joint report of the Lead Director and Director of Communities, Economy and Transport, East Sussex County Council (ESCC) outlined the risks and benefits associated with managing and disposing of Dry Materials Recyclate (DMR).

In November 2017, the Joint Waste and Recycling Committee (JWRC) recommended, as part of the new household waste collection contract that co-mingled DMR including glass should be collected. It was understood that Eastbourne Borough Council and Lewes District Council would align their waste disposal collection services and consider collecting materials in the same way. It was noted that collecting co-mingled DMR precluded disposing of materials at ESCC's Materials Recovery Facility (MRF) at Hollingdean in Brighton as this plant did not accept glass or certain types of plastic and could not be modified to do so. Therefore the JWRC recommended that officers explore with ESCC cost effective ways of disposing of this material, recognising potential significant risks to the Waste Collection Authorities (WCA) and Waste Disposal Authority (WDA).

Two disposal options were available: 1) WCAs retain the materials and put in place a separate disposal contract and agree new recycling credit payments with the WDA; or 2) WCAs deliver the co-mingled DMR to the WDA to dispose of in which recycling credits would no longer be paid. Cost comparisons for gate fees and income from sale of recycling materials were investigated. Gate fees ranged from £49 to £65 per tonne and income from the sale of materials was extremely unpredictable ranging from £0 to £15 per tonne. These prices were illustrative only and subject to future price changes.

Members considered the advantages and disadvantages of retaining and delivering DMR. It was noted that should the WCAs elect to deliver DMR to the WDA, ESCC would not pay recycling credits to the WCAs. Delivery of fully co-mingled material would take the Partnership outside of current agreements, therefore material could not go through the MRF and the WDA would have to bear the net disposal costs, assuming the market remained low. Should the WCA retain and dispose of DMR then recycling credits would continue.

Dependent on the disposal route, the JWRC agreed the following would need to be actioned namely contractual re-negotiations;

implementation of a procurement exercise; reworded recycling credit agreements; and consideration of individual disposal arrangements. ESCC confirmed they would contribute towards the cost of a procurement exercise, if required.

After discussion, the JWRC agreed that ESCC were best placed to handle disposal of the Partnerships' co-mingled DMR and that Eastbourne Borough Council and Lewes District Council consider adopting the same arrangements. ESCC clarified that no gate fees would apply and no recycling credits paid.

RESOLVED: That:

- 1) the risk and benefits associated with managing Dry Materials Recyclate (DMR) be noted;
- 2) each Partnership Council approve that East Sussex County Council handle the disposal of Dry Materials Recyclate; and
- 3) Eastbourne Borough Council and Lewes District Council consider adopting the same disposal arrangements.

(Councillor Standley declared a personal interest in this matter in so far as he is an Executive Member at East Sussex County Council and in accordance with the Members' Code of Conduct remained in the room during consideration thereof).

JWRC17/25. MEETING DATE CHANGE
(7.3)

The Joint Waste and Recycling Committee had previously approved their timetable of meetings for 2018 with five dates scheduled to be held in June, July, September, November and December 2018. To ensure that key decisions were made in time for progression of the new contract, it was agreed that Friday 9 November 2018 meeting should be cancelled and rescheduled to be held on Friday 2 November 2018 at the Court Room, Town Hall, Eastbourne.

RESOLVED: That the meeting scheduled for Friday 9 November 2018 be cancelled and moved to Friday 2 November 2018 at Eastbourne Borough Council.

PART III – SPECIAL URGENT DECISIONS – The Chairmen of the relevant Scrutiny Committees of each Authority had agreed that the following decision was urgent in accordance with Regulation 6(b) and 7(c)(ii) of the Joint Waste and Recycling Committee's Constitution. The call-in procedure does not therefore apply to this decision.

JWRC17/26. **SHORTLISTING COMPANIES FOR INVITATION TO TENDER OF THE NEW WASTE CONTRACT**
(7.2)

The Committee considered the report of the Lead Director, which detailed the results of the Selection Questionnaire (SQ) Stage of the procurement process for the new waste contract.

The Joint Waste Partnership Manager advised that the Official Journal of the European Union (OJEU) Notice was posted on 24 January 2018. The Partnership was using a Competitive Procedure with Negotiation (CPN) and the first stage was completion of SQ; 41 additional clarification questions were received during this stage. Five returns were received by 5 March deadline. All were assessed for compliance, financial standing and technical ability. One bidder failed the financial evaluation; this was subsequently challenged and additional correspondence submitted. Legal advice was sought and it was recommended that the original decision should be upheld.

Following discussion, it was agreed that four contractors who had passed the SQ be invited to tender for the East Sussex Waste Collection, Recycling, Street & Beach Cleansing and Associated Services Contract. In-line with the procurement timetable, it was noted that invitations to tender would be posted on Monday 9 April 2018 with a return date of 1 June 2018.

RESOLVED: That the four contractors who had passed the Selection Questionnaire stage be invited to tender for the East Sussex Waste Collection, Recycling, Street & Beach Cleansing and Associated Services Contract.

The Scrutiny Chairmen of each authority had agreed that this decision could be taken as a special urgent decision to allow the Partnership to shortlist companies for invitation to tender of the new Waste Contract in-line with the procurement timetable.

JWRC17/27. **DATE OF NEXT MEETING**
(8)

It was confirmed that the next meeting was scheduled to be held on Friday 8 June 2018 at 3:00pm in the Council Chamber, Muriel Matters House, Hastings.

CHAIR

The meeting closed at 3:15pm

JWRC180406jh