

Record of Officer's Decision

The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

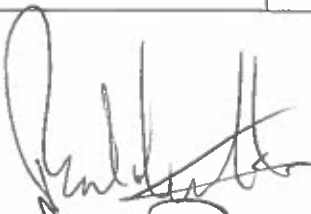
Date of Decision:	21 st December 2018
Decision Makers (Officer):	Corporate Director (Operational Services), Paul Price & Head of Governance and Legal Services, Lisa Hastings
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	Cabinet at its meeting on 23 rd March 2018 (minute 166) delegated authority to the Corporate Director (Operational Services) and the Head of Governance and Legal Services to agree the final terms of the variations to the existing contracts All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4(ii) – Part 3.39).
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Portfolio Holders for Finance and Corporate Resources (Councillor GV Guglielmi) and Environment (Councillor Talbot).
Ward Member(s) consulted?	N/A
Is it a Key Decision?	No (original decision made by Cabinet in March 2018 was the Key Decision)
Is it subject to call-in?	No (original decision made by Cabinet in March 2018 was subject to Call-in)
Decision Made:	To agree the final terms of the variations to the provision of waste, recycling and street cleaning contracts.
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	To implement the decision made by Cabinet at its meeting on 23 rd March 2018 to exercise the options to extend the term of both existing contracts for the collection of waste and recycling and street cleaning in accordance with the decision.

<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>These are set out in detail within the report considered by Cabinet 23rd March 2018.</p> <p>The contractual Change Control Procedure has been followed for both contracts, with a Change Notice being issued and a response being received from the contractor.</p> <p>The decision taken by Cabinet in March was based on 2017 prices, with a £34k cost pressure identified. Although there have been some minor adjustments to the contract price such as the number of dwellings receiving the service, the main increase in cost is due to inflationary uplifts across both 2018 and into 2019.</p> <p>The difference in RPI rates has increased the 2019/20 estimated contract costs (year 1 on the revised / extended contract) from £90k to £198k. This has been fully reflected in the revised forecast for 2019/20 along with a general cost pressure of £41k to reflect the increase in costs based on 2017 prices as set out in the Cabinet report in March 2018 referred to above. This information is contained within the Updated Financial Forecast and Detailed Estimates for 2019/20 presented to Cabinet on 14th December 2018.</p> <p>Various actions, have been taken by the Chief Financial Officer in accordance with the Financial Procedure Rules as set out in the Constitution, to ensure that the revised contract and associated uplift in costs can be accommodated within the long term forecast ensuring an affordable and financially sustainable position established.</p>
<p>Details of any Alternative Options Considered and rejected (together with reasons):</p>	<p>These are set out within the Cabinet report 23rd March 2018</p>
<p>Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)</p> <p>If relevant, a note of the dispensation granted by the Monitoring Officer:</p>	<p>N/A</p>

<p>Reason Decision, or supporting Report, is not published:</p> <p><i>Tick one or more of the specific exemptions,</i></p> <p><u>and</u></p> <p><i>Give more information in the final box with regards to why the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i></p>	X	Not applicable – Decision [and report] to be published
		The report supporting the Decision contains confidential information
		The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:
		<ul style="list-style-type: none"> • Relates to an individual
		<ul style="list-style-type: none"> • Likely to reveal the identity of an individual
		<ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation
		<ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings
		<ul style="list-style-type: none"> • Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment
		<ul style="list-style-type: none"> • Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
	<p><u>And</u> is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</p> <p>Reasons: The report contains information in relation to the financial transaction for the purchase of a number of sites and their vendor and as such releasing this information may hamper the Council's ability to negotiate on a commercial basis other sites which it may wish to purchase.</p>	

Officers


Signed:



Paul Price

Title: Corporate Director (Operational Services)

Signed:



Lisa Hastings

Title: Head of Governance and Legal Services

In consultation with:

Signed: 
Richard Barrett

Title: Section 151 Officer

Signed:
Councillor GV Guglielmi

Title: Portfolio Holder for Finance & Corporate Resources

consulted but not signed for

Signed: 
Councillor Talbot.

Title: Portfolio Holder for Environment

Dated: *21st December 2018*