

# EXECUTIVE MEETING ON 9 JULY 2024



## DECISION SHEETS

**Record of decisions made by the Executive pursuant to Regulation 12 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012**

Date of publication: 10 July 2024

*\* Executive decisions will not be implemented until the expiry of 5 working days to take account of the Call-In procedure.*

<u>No.</u>	<u>Item</u>	<u>Decision</u>	<u>Reasons for the Decision</u>	<u>Details of alternative options considered and rejected at a meeting</u>	<u>Any declarations of conflict of interest and/or dispensations granted</u>
5	Award of the Waste, Recycling and Street Cleansing Contract	a) That the Executive agrees to North Herts District Council awarding the waste, recycling and street cleansing		Not awarding the contract is not considered a viable option. Bidders have committed significant resource in bidding for this contract and may	

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		<p>contract to the preferred bidder, on behalf of East Herts Council, as identified in Appendix 1 Part 2 of this report;</p> <p>b) That the Executive agrees to approve the formation of a joint mobilisation project board to include the Executive Members responsible for digital transformation as well as the Executive</p>		<p>pursue a claim against the Council should the contract not be awarded.</p> <p>The continuation of the existing project board was considered, however this would have required an amendment to the Collaboration Agreement, which is due to cease at the conclusion of the procurement, whereas the formation of a new project board can be included in the new Inter Authority</p>	

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		<p>Member covering waste, recycling and street cleansing services for both EHC and North Herts to monitor the progress of the mobilisation of the waste, recycling and street cleansing contract;</p> <p>c) That Executive has regard for the draft statutory guidance in Appendix 6 and taking into account the</p>		<p>Agreement, and this is a simpler process. Membership of the new mobilisation project board will be broadly similar.</p> <p>There is currently no alternative option to the granting of leases to the preferred bidder for Buntingford Depot and Letchworth Depot. Should the assignment of the Letchworth lease not be completed by 9 July 2025, further legal advice will be sought on the contracting options.</p>	

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		<p>matters set out in this Part 2 report and any Part 2 clarifications, reconfirms the decision on the 3-weekly collection frequency of residual waste collections made by Executive as per 2.5 and provides clear reasons for the decision;</p> <p>d) The Executive agrees to the commencement of a procurement exercise for the</p>		<p>The use of external consultants continues to be considered as one option to manage the integration of IT systems with the waste management IT system however options in relation to in house resource will also be considered.</p> <p>The use of the contract 'anticipated change' regarding the provision of fortnightly residual waste collections and fully</p>	

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		<p>provision of a Material Recovery Facility (MRF) and haulage.</p>		<p>commingled dry mixed recycling collections was considered, however the reasoning presented in the report identifies that this would be financially disadvantageous for the councils and would limit the council's ability to improve its environmental performance.</p> <p>The extension of the existing MRF contract was considered but this was deemed to</p>	

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				present procurement risks to the authorities due to the existing contract spend and the changes required to fit with the new service design and manage upcoming changes in legislation.	
6	Request for Area Designation for Neighbourhood Planning: Hertford Castle Plus, Hertford Town Council	<p>a) The consultation responses, as detailed in Appendix C to this report, be received and considered; and</p> <p>b) The application, submitted by Hertford Town Council, for the designation of Hertford Castle Plus as a</p>		The Local Planning Authority must determine whether the area should be designated as a Neighbourhood Area in accordance with The Neighbourhood Planning (General) Regulations 2012 (as amended). The	

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		Neighbourhood Area for the purposes of producing a neighbourhood plan, be supported		proposed application meets the requirements of the legislation so refusing the application would be contrary to the legal requirements.	
7	A Listening Council Report - Feedback on consultation	a) that the 'A Listening Council' document as amended following public consultation, presented in Appendix A, be approved.		Continue to carry out information giving, engagement and consultation on a case-by-case basis without a published set of principles – NOT RECOMMENDED as this can lead to problems such as inconsistency, perceived tokenism and a missed	

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				<p>opportunity to learn from involvement exercises on an ongoing basis.</p> <p>Not make any amendments following the consultation feedback – NOT RECOMMENDED as this would see the council missing out on the valuable observations and suggestions made by the public and, indeed, would undermine the desire to listen to feedback articulated within the document</p>	



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				<p>itself.</p> <p>Endorse the document, which incorporates amendments following public consultation – RECOMMENDED.</p>	
8	Ward Freman Community Pool Group CIO match funding support for Community Ownership Fund bid	<p>a) Agree in principle to provide match funding of up to £200,000 to support the Ward Freeman Community Pool Group CIO application to the Government's Community Ownership Fund.</p> <p>b) Authorise the Head of Strategic Finance</p>		Recommended: Agree in principle, match funding of up to £200,000 and the issuing a letter of support for the application providing the reasons the pool is at risk and confirmation that statutory service provision is not affected as leisure is	

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		<p>and Property to issue a letter of support for the Community Ownership Fund bid setting out the in-principle match funding agreement.</p> <p>c) Authorise the Head of Strategic Finance and Property to include in the letter the additional information concerning a publicly owned asset that the application will require.</p>		<p>a discretionary service.</p> <p>Not recommended: Do not agree in principle the match funding and letter of support. The pool would permanently close and there is likely to be negative publicity for the council. It would also appear to be contrary to the council's aspiration to support the community find ways to keep the pool open that do not impact on the council's budget, a</p>	

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				position that has been expressed across political groups.	