

Portfolio Holder Decisions/Leader Decisions

Friday 9 December 2022

Minutes

Attendance

Committee Members
Councillor Peter Butlin

1. Approval to procure waste management contract

Resolved

That the Deputy Leader authorises the undertaking of a procurement exercise for the recycling of metal as set out in this report

That the Deputy Leader authorises the Strategic Director for Communities, in consultation with the Portfolio holder for Environment, Climate and Culture, to award the contract and enter into any legal agreement necessary to implement the contract on terms and conditions acceptable to the Strategic Director for Resources

2. Developer - Funded S278 Highway Schemes Approvals

Resolved

That the Portfolio Holder for Finance and Property gives approval to the addition of the following s278 fully developer-funded highway improvement schemes to the Capital Programme for 2022/23:

- a) A3400 Mill Lane, Newbold on Stour, Oldacre Gardens - Passing Bays of approximate value £80,000
- b) The Belfry Hotel and Resort, Sutton Coldfield – junction improvement of approximate value £102,960

3. Agresso Cloud Hosting

Resolved

The recommendation was approved as set out in the exempt report

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Portfolio Holder Decision

Approval to procure waste management contract - Metals Recycling – Metals Recycling

Portfolio Holder	Portfolio Holder for Finance and Property
Date of decision	9 December 2022
	Signed 

1. Decision taken

- 1.1 That the Deputy Leader authorises the undertaking of a procurement exercise for the recycling of metal as set out in this report
- 1.2 That the Deputy Leader authorises the Strategic Director for Communities, in consultation with the Portfolio holder for Environment, Climate and Culture, to award the contract and enter into any legal agreement necessary to implement the contract on terms and conditions acceptable to the Strategic Director for Resources

2. Reasons for decisions

- 2.1 It is the responsibility of the Council to provide Household Waste Recycling Centres (HWRCs) for members of the public and traders to deposit their waste. The Council ensures that the waste materials from the HWRCs are managed in line with the waste hierarchy and as such the Council has contracts in place for the reuse, recycling, composting and recovery of waste. One of the materials the Council needs to find a recycling outlet for is scrap metal.
- 2.2 The current contract for the recycling of scrap metal from Warwickshire HWRCs ends in March 2023 and therefore, the Councils needs to secure a new contract to commence 1st April 2023.
- 2.3 The contract will be for: provision of containers, haulage and the recycling of around 2,200 tonnes of scrap metal from Warwickshire Household Waste Recycling Centres.
- 2.4 Scrap metal is a valuable commodity, and the Council expects to receive an income from the sale of this material. The annual income the Council received for scrap metal from Warwickshire operated HWRCs in 2021-2022 was in the region of £300,000.

- 2.5 The Council has engaged with suppliers by carrying out soft market testing; the feedback from the market will help inform the contract requirements and will ensure the contract is one where both the Council and the Contractor can mutually benefit.
- 2.6 The procurement will be undertaken in accordance with Warwickshire County Council's contract standing orders and in compliance with procurement legislation. It is proposed the tender process followed will be an open procedure and the award criteria will include environmental and financial implications.
- 2.7 A project team will be established, consisting of staff from waste management, commissioning support, procurement and legal.
- 2.8 As part of the procurement strategy the Council has chosen to consider variant bids, where a compliant bid has been submitted and this gives suppliers the flexibility to offer innovative and better value solutions to the Council.
- 2.9 It is proposed the contract will have a medium-term duration of 5 years, with an initial term of 3 years and a further extension period not exceeding 24 months.
- 2.10 The timetable is to go out to the market in January 2023, so the new contract can commence 1st April 2023.

3. Financial implications

- 3.1 The total value of the concession contract to the potential supplier is estimated to be in the region of £2 million over the maximum 5 years of the contract. This is a robust estimate and has been calculated using tonnage data and estimated values of scrap metal on the 'Let's Recycle' pricing index¹.
- 3.2 The Council will seek to maximise income from the sale of the scrap metal and reduce pricing risk to the supplier, by putting in place a pricing mechanism that will track the value of the material throughout the life of the contract.

4. Environmental implications

- 4.1 The contract will ensure the safe and environmental sound management of scrap metal from Warwickshire operated HWRCs from its acceptance at the delivery point and throughout the recycling process.
- 4.2 Recycling scrap metal is good for the environment and climate change, has a strong carbon benefit and will ensure positive performance against our performance indicators.

¹ The Let's Recycle pricing index is available at www.letsrecycle.com/prices and is used widely by the industry

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Strategic Director	Strategic Director for Communities
Portfolio Holder	Portfolio Holder for Finance and Property

Urgent matter?	<i>No</i>
Confidential or exempt?	<i>No</i>
Is the decision contrary to the budget and policy framework?	<i>No</i>

List of background papers

None.

Members and officers consulted and informed

Portfolio Holder – Councillor Peter Butlin

Corporate Board – Mark Ryder

Legal – Hassan Hafiz

Finance – Andy Felton

Democratic Services – Isabelle Moorhouse

Councillors – Warwick, Birdi, Boad, Philipps and W, Roberts

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Portfolio Holder Decision Developer - Funded S278 Highway Schemes Approvals

Portfolio Holder	Portfolio Holder for Finance and Property
Date of decision	9 December 2022
	Signed 

1. Decision taken

- 1.1 That the Portfolio Holder for Finance and Property gives approval to the addition of the following s278 fully developer-funded highway improvement schemes to the Capital Programme for 2022/23:
- a) A3400 Mill Lane, Newbold on Stour, Oldacre Gardens - Passing Bays of approximate value £80,000
 - b) The Belfry Hotel and Resort, Sutton Coldfield – junction improvement of approximate value £102,960

2. Reasons for decisions

- 2.1 On 14th May 2021 Council reconfirmed the delegated power to the Leader, or body nominated by them, to approve the addition to the capital programme of projects costing less than £2.0 million, which are fully funded from external grants, developer contributions or from revenue. The Portfolio Holder for Finance and Property is that nominated body.
- 2.2 Under the Constitution, the power is delegated onwards to the Portfolio Holder for Finance and Property.

3. Background information

- A3400 Mill Lane, Newbold on Stour, Oldacre Gardens***
- 3.1 A planning application was submitted to Stratford-Upon-Avon District Council by C.E Gilbert and Sons Developments Ltd in respect of a residential development of Oldacre Gardens, Mill Lane, Newbold -on- Stour, Stratford-upon-Avon. Planning consent was granted on 11 December 2020 (ref: 20/02661/FUL) for the erection of five number two storey dwellings. The s278 works required is the provision of three number passing bays on Mill Lane and widenings of Mill Lane and Stratford Road.

The Belfry Hotel and Resort, Sutton Coldfield

- 3.2 A planning application was submitted to North Warwickshire Borough Council by TB Operations Resort Limited in respect of land at The Belfry Hotel, Lichfield Road, Wishaw. Planning consent was granted on 7th August 2019 (ref: PAP/2019/0455.) for the remodelling of existing golf course, erection of new hotel and leisure buildings, car parking and access works. The s278 works required is the re-design of the existing junction with the A446 Lichfield Road.

4. Financial implications

- 4.1 As the new highway assets which are being created through these schemes will come on to the Council's balance sheet once completed, the costs incurred by the Council need to be treated as capital expenditure.
- 4.2 Section 278 schemes are fully funded by developer contributions which are ring-fenced for the schemes described in the sections above. There are no alternative uses for the contributions and the addition of these schemes will not affect the overall level of available capital resources.
- 4.3 The respective Developers have already committed to funding the technical review work by accepting the Council's fee estimates. The Council's fees for technical review are always collected in advance of the s278 agreement being signed.
- 4.4 Procurement and subsequent award of construction contracts will only take place subject to the applicable Section 278 agreements being signed, which will provide 100% of the funding. The commencement of the works is dependent on the completion of the technical review, procurement and contractor mobilisation processes. Any slippage or increase in costs due to changes in the scope of the works will be reported in the normal quarterly monitoring process.

5. Environmental implications

- 5.1 The environmental impacts of developer-funded highway schemes are considered through the planning approval process.
- 5.2 The contractors on the Council's Framework Contract for the Provision of Engineering and Construction Works (WCC 6012) have all demonstrated that they hold a certificate of compliance with BS EN ISO 140001 (or equivalent) or have otherwise satisfactorily demonstrated their policies and arrangements for the management of construction-related environmental issues.

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Assistant Director	Scott Tompkins - Assistant Director Environmental Services
Strategic Director	Mark Ryder - Strategic Director for Communities

Portfolio Holder	Portfolio Holder for Finance and Property
Urgent matter?	<i>No</i>
Confidential or exempt?	<i>No</i>
Is the decision contrary to the budget and policy framework?	<i>No</i>

List of background papers
N/A

Members and officers consulted and informed
<p>Portfolio Holder – Councillor Peter Butlin</p> <p>Corporate Board – Mark Ryder</p> <p>Legal – Caroline Gutteridge</p> <p>Finance – Andrew Felton</p> <p>Equality – n/a</p> <p>Democratic Services – Isabelle Moorhouse</p> <p>Councillors – Warwick, Singh Birdi, Board, Philipps and W Roberts</p> <p>Local Member(s):</p> <p>A3400 Mill Lane, Newbold on Stour, Oldacre Gardens – Cllr Seccombe (Stour & the Vale)</p> <p>The Belfry Hotel and Resort, Sutton Coldfield – Cllr Watson (Coleshill North & Water Orton)</p>

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