

THE "CALL-IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON WEDNESDAY, 26 JANUARY 2011. MINUTE NOS. 79(2), 80(1), 83 AND 85 ARE NOT SUBJECT TO "CALL-IN".

CABINET MEMBER - ENVIRONMENTAL

**MEETING HELD AT THE TOWN HALL, SOUTHPORT
ON WEDNESDAY, 12 JANUARY 2011**

PRESENT: Councillor Tattersall

ALSO PRESENT: Councillors Dutton and Hardy

76. APOLOGIES FOR ABSENCE

No apologies for absence were received.

77. DECLARATIONS OF INTEREST

No declarations of interest were received.

78. MINUTES

RESOLVED:

That the Minutes of the meeting held on 17 November 2010 be confirmed as a correct record.

79. RECYCLING COLLECTION SERVICES

Further to Minute No. 69 of 17 November 2010, the Cabinet Member considered the report of the Operational Services Director on the outcome of evaluating pre-qualification questionnaires (PQQ) and the revised schedule for invitation to tender and seeking approval to extend the current interim recycling collection service arrangement, to reflect the timescale for anticipated award and commencement of the new recycling service contract.

The report indicated that a decision was required to ensure that appropriate contractual arrangements were in place for the provision of recycling collection services.

RESOLVED: That

- (1) the outcome of the PQQ stage of the accelerated restricted tendering process and the revised timetable for the remaining elements of this process, be noted; and
- (2) the Cabinet be recommended to agree to extend the current interim arrangement to reflect the revised timetable for award and commencement of a new recycling collection contract.

80. COMMERCIAL WASTE CHARGES

The Cabinet Member considered the report of the Operational Services Director seeking approval for the proposed commercial waste collection charges that would apply from 1 April 2011 onwards.

RESOLVED: That

- (1) the Cabinet be recommended to agree the Commercial Waste Service fees and charges identified in the report for use from 1 April 2011 onwards; and
- (2) a decision on the Commercial Clinical Waste Service be deferred, pending further clarification.

81. SPECIALIST TRANSPORT BUS AND TAXI FRAMEWORK CONTRACT - ACCELERATED RESTRICTED PROCEDURE

The Cabinet Member considered the report of the Operational Services Director requesting approval to use an accelerated restricted procedure and obtain delegated authority to invite tenders following an evaluation of the pre-qualification questionnaires (PQQ) stage of the process, for procurement of a new Bus and Taxi framework contract.

The report indicated that a decision on this was required to ensure that contractual arrangements were in place for the continuing provision of specialist transport services.

RESOLVED: That

- (1) the use of an accelerated restricted procurement procedure to establish a new Bus and Taxi framework contract be approved; and
- (2) the Operational Services Director be authorised to invite tenders for a new Bus and Taxi framework contract following evaluation of the PQQ under an accelerated restricted procurement process.

82. PUBLIC CONVENIENCES - UPDATE

Further to Minute No. 17 of 1 July 2009, the Cabinet Member considered the report of the Operational Services Director on the current situation in relation to the facilities that made up the Operational Services Department's Public Convenience portfolio.

RESOLVED: That

- (1) the information contained in the report be noted; and
- (2) it be agreed that the public conveniences in Formby (at The Cloisters) and in Southport (Market Street) be declared surplus to

the requirements of the Operational Services Department at the end of March 2011.

83. AWARD OF CONTRACT - GREEN WASTE (COMPOSTING)

The Cabinet Member considered the report of the Operational Services Director on the award of the Green Waste (Composting) Contract to establish an outlet for compostable waste collected during the period 1 April 2011 to 31 March 2013.

RESOLVED:

That the Cabinet be recommended to agree the award of tendered bid number 1 for the period 1 April 2011 to 31 March 2013, with an option to exercise an additional one year extension, subject to satisfactory performance.

84. HIGHTOWN SEA DEFENCES - PHASE 2 - SELECTION OF PREFERRED CONTRACTOR

Further to Minute No. 243 of the Cabinet meeting of 17 December 2009, the Cabinet Member considered the report of the Environmental and Technical Services Director on the selection of a preferred contractor for Phase 2 of the Hightown Sea Defences project.

The report indicated that early contractor involvement was required to assist and 'buy in' to methods associated with environmental and ecology matters.

RESOLVED: That

- (1) the progress in contractor selection be noted; and
- (2) the appointment of Birse Coastal of Tadcaster as the preferred contractor for Phase 2 of the Hightown Sea Defences project, be endorsed.

85. LOCAL FLOOD RISK MANAGEMENT

The Cabinet Member considered the report of the Environmental and Technical Services Director seeking approval to start implementing new duties in relation to local flood risk management; and indicating that a decision on this matter was required as recent legislation had placed such new duties on the Council.

The report indicated that the Flood and Water Management Act 2010 (the Act) was introduced last Spring and that it would have a phased commencement; that it would place a number of new duties on local authorities along with a general duty to provide a leadership role in relation to flooding from all sources; that it should be noted that other relevant authorities such as Water Companies would have a duty to co-operate

with the Council as the Council discharged this leadership role; and that DEFRA (the Department for Environment, Food and Rural Affairs) wrote to all Councils on 16 September 2010 to advise them that various elements were commencing on 1 September and 1 October 2010 and that the Government was working towards commencing most other parts of the Act by April 2011.

The report also indicated that it had not been possible at this time to determine the financial implications arising from the new burdens under the Act in relation to staff resources; that the Government had made it clear that local authorities would need to think now about what was necessary to make sure the skills and capacity were in place for the strategy preparation processes in order to take advantage of funding and guidance when it was made available in 2011; and concluded that, given the uncertainty relating to resource need and future structures for Council Services, it was not appropriate at this time to request formal inclusion in the Council's budget process but that it was appropriate to ask the Cabinet Member to:

- note the Government's intention to place additional duties on the Council as a Lead Local Flood Authority;
- note the Government's grant allocation within the Local Government Settlement of £121,000; and
- note the need for resources to be included in future budgets to deliver these new burdens and for the provision of a client function.

RESOLVED: That

- (1) the Government's intention to place additional duties on the Council as a Lead Local Flood Authority, be noted;
- (2) the Government's grant allocation within the latest Local Government Settlement of £121,000, be noted; and
- (3) the need for resources to be included in future budgets to deliver these new burdens and for the provision of a client function, be noted.

86. SEFTON COAST ADAPTATION STUDY

Further to Minute No. 24 of 29 July 2009, the Cabinet Member considered the report of the Environmental and Technical Services Director on the Coast Adaptation Study which detailed a number of recommendations for the management of the coast to ensure that Sefton would be in a position to manage coastal change and climate change in the future.

RESOLVED: That

- (1) the Coast Adaptation Study be noted; and
- (2) the continuation of the approach whereby the coastal defence team promotes the recommendations of the Study with other partners and undertakes to review the Study at appropriate intervals, be approved.

87. REGIONAL COASTAL MONITORING PROGRAMME - SINGLE TENDER PROCUREMENT - WAVE BUOYS

The Cabinet Member considered the report of the Environmental and Technical Services Director seeking approval to procure two Wave Rider Directional Wave Buoys from RS Aqua Limited as part of the Environment Agency-funded North West Coastal Monitoring Programme.

The report indicated that it was necessary to waive the Council's contracts procedure rules and proceed with a single tender procurement because the specialist wave rider equipment was only manufactured by one company in Europe (Datawell in the Netherlands) which was exclusively represented by RS Aqua Limited of Alton, Hampshire.

RESOLVED: That

- (1) the Council's contracts procedure rules be waived to facilitate a single tender procurement; and
- (2) the wave buoys be procured from RS Aqua Limited.

88. REGIONAL COASTAL MONITORING PROGRAMME - INSTALLATION AND DEPLOYMENT OF WAVE BUOYS

Further to a Minute No. 87 above, the Cabinet Member considered the report of the Environmental and Technical Services Director seeking approval to contract with New Forest District Council to undertake the installation and deployment of the wave buoys, using its own established contractor, EMU, a specialist maritime operator.

The report indicated that approval was required to waive the Council's contracts procedure rules and proceed with the appointment of another coastal Authority, namely New Forest District Council (as permitted by Section 13 of the Flood and Water Management Act 2010), to undertake the appropriate works on Sefton Council's behalf.

RESOLVED:

That, subject to Minute No. 87(2) above, the Council's contracts procedure rules be waived to allow the appointment of New Forest District Council and its contractor EMU, to install and deploy the wave buoys.