

CITY COUNCIL – 5 MARCH 2018

REPORT OF THE PORTFOLIO HOLDER FOR ENERGY AND SUSTAINABILITY

DELEGATION OF COMMERCIAL WASTE SERVICES BY DERBY CITY COUNCIL TO NOTTINGHAM CITY COUNCIL

1 SUMMARY

- 1.1 Derby City Council has delegated its responsibility for the collection and disposal/treatment of commercial waste under the Environmental Protection Act 1990 to Nottingham City Council (the City Council).
- 1.2 In order for the City Council to discharge this function it is a constitutional requirement that full Council to formally accept the delegation.
- 1.3 Arrangements for the transfer and undertaking of the delegated functions have been approved by Executive Board on 21 November 2017. The delegation would take effect from 1 April 2018.
- 1.4 A separate agreement between the parties is being negotiated under the authority delegated to the Corporate Director for Commercial and Operations under the 21 November Executive Board approval.

2 RECOMMENDATIONS

- 2.1 That full Council formally accept the delegation from Derby City Council of the functions to facilitate the collection and disposal of commercial waste in accordance with the Environmental Protection Act 1990.

3 REASONS FOR RECOMMENDATIONS

- 3.1 Detailed proposals for the transfer of the Derby City Council commercial waste service to Nottingham City Council were presented to and approved by Executive Board on 21 November 2017.
- 3.2 In order to give that decision effect, it is a constitutional requirement that the City Council formally accept the delegation of functions from Derby City Council.

4 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 4.1 None. Other options were considered and discounted by Executive Board in the 21 November decision.

5 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 5.1 Derby and Nottingham City Councils have committed to an ambitious joint 'Metro Strategy', with the overarching objective of building a global reputation for both cities as exciting places to live, work and play.
- 5.2 In working towards the strategic objective of creating more efficient public services and increasing value for money, both authorities are actively exploring areas for closer integration and shared services.

- 5.3 A review of commercial waste services provided by both authorities has identified an opportunity to deliver £205,000 of annual savings to Derby City Council, while opening new opportunities for Nottingham City Council to build on its successes in commercialisation of waste management by delegating the operation of the service to Nottingham City Council.

6 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY)

- 6.1 A full financial model has been developed and has been deemed financially viable. This was shared and approved as part of the Executive Board report dated 21 November 2017.
- 6.2 All finances in association with the delegation, including treatment of VAT, will need to be in line with legal requirements and HMRC legislation. External guidance on what this entails is being sought to ensure full compliance.

7 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 7.1 It is a constitutional requirement in accordance with Part 2 of the City Council's Constitution that acceptance of a delegation from another Council is to be exercised only by full Council.
- 7.2 The City Council Executive has already delegated authority to negotiate and agree all legal agreements with Derby City Council to give effect to and govern the terms of the delegated functions.

8 EQUALITY IMPACT ASSESSMENT (EIA)

- 8.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because due consideration has been given to the potential positive or negative impacts of this decision on groups or individuals with protected characteristics. No impacts of this nature have been identified. This decision does not have any bearing on existing Nottingham City Council policies, procedures or practices in relation to employees or citizens. It should, however, be noted that the acceptance of the delegation extends the role of Nottingham City Council into the Derby area and transfer employees from Derby City Council to Nottingham City Council. While these changes do not in of themselves give rise to positive or negative impacts, this extension of service provision and employment should be included within the scope of all future decision for Nottingham City Council Commercial Waste with regard to Equality Impact Assessment.

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

- 9.1 None.

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

10.1 None.

**COUNCILLOR DAVE LIVERSIDGE
PORTFOLIO HOLDER FOR ENERGY AND SUSTAINABILITY**