

To: **Members of the Oxfordshire Waste Partnership Joint Committee (meeting with the Oxfordshire Environment Partnership)**

Notice of a Meeting of the Oxfordshire Waste Partnership Joint Committee (meeting with the Oxfordshire Environment Partnership)

Friday, 23 September 2011 at 10.00 am

County Hall, Oxford



Peter G. Clark
County Solicitor

September 2011

Contact Officer: **Julie Dean**
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Membership – Oxfordshire Waste Partnership

Councillors:

Lorraine Lindsay-Gale
(deputy: David Robertson)

David Dodds
(deputy: Any Cabinet Member)

John Tanner
(deputy: Any other member of the City Executive Board)

James Macnamara
(deputy: to be confirmed)

Reg Waite
(deputy: to be confirmed)

David Harvey
(deputy: Barry Norton or Mark Booty)

Representing:

Chairman – Oxfordshire County Council

Deputy Chairman – South Oxfordshire District Council

Oxford City Council

Cherwell District Council

Vale of White Horse District Council

West Oxfordshire District Council

Membership – Oxfordshire Environment Partnership

Membership is a loose group of elected members, officers and representatives from government and non-governmental agencies. Those usually attending are listed in that order.

Representing:

Cllr James Macnamara	Cherwell District Council
Cllr John Tanner	Oxford City Council
Cllr Reg Waite	Vale of White Horse District Council
Cllr David Harvey	West Oxfordshire District Council
Ian Davies	Cherwell District Council
John Copley	Oxford City Council
Tim Sadler	Oxford City Council
Andrew Pau	Oxfordshire County Council
Sally Truman	South Oxfordshire District Council
Paul Staines	Vale of White Horse District Council
Cath James	West Oxfordshire District Council
Rosemary Redmond	Environment Agency
Matt Jackson	BBOWT
Robin Buxton	
Simon Hughes	Environment Agency
Linda Watson	Oxfordshire Rural Community Council
Dave Woodwark	
Susie Ohlenschlager	Oxfordshire County Council Environment & Climate Change Team
Wayne Lewis	Oxfordshire Waste Partnership Co-Coordinator

Notes:

- ***Date of next meeting: 28 October 2011***
- ***Venue for this meeting: Meeting Room 2***

Declarations of Interest

This note briefly summarises the position on interests which you must declare at the meeting. Please refer to the Members' Code of Conduct in Part 9.1 of the Constitution for a fuller description.

The duty to declare ...

You must always declare any "personal interest" in a matter under consideration, i.e. where the matter affects (either positively or negatively):

- (i) any of the financial and other interests which you are required to notify for inclusion in the statutory Register of Members' Interests; or
- (ii) your own well-being or financial position or that of any member of your family or any person with whom you have a close association more than it would affect other people in the County.

Whose interests are included ...

"Member of your family" in (ii) above includes spouses and partners and other relatives' spouses and partners, and extends to the employment and investment interests of relatives and friends and their involvement in other bodies of various descriptions. For a full list of what "relative" covers, please see the Code of Conduct.

When and what to declare ...

The best time to make any declaration is under the agenda item "Declarations of Interest". Under the Code you must declare not later than at the start of the item concerned or (if different) as soon as the interest "becomes apparent".

In making a declaration you must state the nature of the interest.

Taking part if you have an interest ...

Having made a declaration you may still take part in the debate and vote on the matter unless your personal interest is also a "prejudicial" interest.

"Prejudicial" interests ...

A prejudicial interest is one which a member of the public knowing the relevant facts would think so significant as to be likely to affect your judgment of the public interest.

What to do if your interest is prejudicial ...

If you have a prejudicial interest in any matter under consideration, you may remain in the room but only for the purpose of making representations, answering questions or giving evidence relating to the matter under consideration, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Exceptions ...

There are a few circumstances where you may regard yourself as not having a prejudicial interest or may participate even though you may have one. These, together with other rules about participation in the case of a prejudicial interest, are set out in paragraphs 10 – 12 of the Code.

Seeking Advice ...

It is your responsibility to decide whether any of these provisions apply to you in particular circumstances, but you may wish to seek the advice of the Monitoring Officer before the meeting.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

AGENDA

1. Apologies for Absence and Notification of Deputy Members
2. Declaration of Interest - see guidance note
3. Petitions and Addresses
4. EXEMPT ITEM

The Joint Committee is RECOMMENDED that the public be excluded for the duration of item 5 in the Agenda since it is likely that if they were present during this item there would be disclosure of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) and specified in relation to the respective item in the Agenda and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

5. Procurement of Environmental Education Services

At the last meeting on 24 June 2011 the Partnerships considered a report (which is attached at **OWP5(b)** as a means of background information) that gave an update on the tendering of the Environmental Education Services funded by Oxfordshire Waste Partnership and Oxfordshire County Council.

During the discussion a member of the Oxfordshire Waste Partnership queried the funding of the Wild Waste Bus for a further two years, in accordance with the proposed contract, when discussion at a former meeting had indicated that there was a wish to fund it for one further year only. Mr Lewis had responded that there were no plans to offer a bus as part of the new contract. However, this was a timely opportunity to assess the costs of a service against the benefits of jointly procuring the 'Energy Bus'.

Following further discussion, the Environment Partnership and the Oxfordshire Waste Partnership decided as follows: to

- (a) note progress to date;
- (b) authorise Oxfordshire County Council to continue with the procurement;
- (c) call a special meeting in September 2011 to consider the returned tenders and reach a decision on the contract award; and
- (d) to ensure that the Energy aspects of the service can be procured independently of the Waste Management Service if needs be.

The purpose of the attached report (**OWP5(a)**) is to explain the procurement process undertaken, the outcome of the tender evaluation and to seek authorisation to award the Environmental Education Service Contract.

Whilst the report OWP5(a) does not contain exempt information and has thus been made available to the public, the Annex contains information that relates to a

competitive procurement process and is commercially sensitive . It is therefore necessary that the public should be excluded during the consideration of this item because its discussion in public would be likely to lead to the disclosure to members of the public present of information in the following prescribed category prescribed by Part 1 of Schedule 12A to the Local Government Act 1972, as amended, paragraph 3:

3. *Information relating to the financial or business affairs of any particular person (including the authority holding that information) and since it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, in that such disclosure would prejudice the position of the authority in that disclosure would distort the proper process of the transaction and Oxfordshire County Council's standing generally in relation to such transactions in the future, to the detriment of Oxfordshire County Council's ability properly to discharge its fiduciary and other duties as a public authority.*

The Oxfordshire Waste Partnership Joint Committee is RECOMMENDED to:

- (a) note the outcome of the evaluation which is that Tender 3 is the leading bid; and**
- (b) endorse the award of the contract as a combined Waste and Energy service to Tenderer 3.**