

TITLE: ECSS Memorandum of Agreement Extension

Committee: Council

Date: 25 July 2024

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Report number: Z43

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1.0 Issue

- 1.1 To consider an extension to the existing Memorandum of Agreement (MOA) between the Council and East Cambs Street Scene (ECSS).

2.0 Recommendations

Council is requested to:

- i. Approve an extension period as set out in section 4.3 and 4.4 to the existing Memorandum of Agreement with ECSS.
- ii. Authorise the Director Legal to complete the necessary documentation to bring this decision into effect.

3.0 Background/Options

- 3.1 The Council entered into an MOA with its wholly owned company ECSS on 1 April 2018 date for a period of 7 years. The MOA is due to expire on 31 March 2025.
- 3.2 The Council has been working with DEFRA since early 2023 to secure net burden funding for both capital and revenue support, to implement the requirements of the new “Simpler Recycling” consultation as part of the implementation of the Environment Act 2021.
- 3.3 The “Simpler Recycling” strategy sets out the types of material and frequency of collection a Waste Collection Authority is required to provide to households.
- 3.4 In March 2024 DEFRA confirmed that the Council would be able to access funding and is required to implement a separate weekly food waste collection by April 2026.
- 3.5 A Member Working Party was set up in November 2023 to shape the requirements for a new waste and recycling collection service and a street cleansing service, proposals for the new service are due to be presented to Council in October 2024. As part of these proposals, the Council will also be required to agree to the delivery model for the service from April 2026 (e.g Inhouse/contracted out/ via ECSS)

4.0 Arguments/Conclusions

- 4.1. The Council is now required to implement a separate weekly food waste collection by April 2026 and will be able to access revenue funding from that point.

- 4.2. The Member Working Party acknowledged that to achieve this date it would be necessary to extend the existing MOA with ECSS, to ensure there was no break in service between now and the implementation of the new waste collection services in April 2026.
- 4.3. To allow for a managed transition to the new services, that would be due to go live in circa April 2026, an extension to the MOA from 1st April 2025 to 31st March 2026 is required.
- 4.4. It is proposed that the extension to the MOA is undertaken on the existing terms and service specifications.
- 4.5. To allow for a timely audit of the ECDC accounts, the external auditors have indicated that ECSS would be required to close their accounts in July 2024. For ECSS to close their accounts by this date they require confirmation from the Council that they intend to continue to provide waste and street cleansing services through ECSS beyond the expiry date of the existing MOA (31 March 2025).

5.0 Additional Implications Assessment

5.1 In the table below, please put Yes or No in each box:

Financial Implications YES	Legal Implications NO	Human Resources (HR) Implications No
Equality Impact Assessment (EIA) No	Carbon Impact Assessment (CIA) No	Data Protection Impact Assessment (DPIA) No

5.2 **Financial Implications** – The extension to the contract will be on the existing terms and the Annual Management Fee setting will continue as is for the duration of the extended contract.

6.0 Appendices

None

7.0 Background documents

Memorandum of Agreement between the Council and ECSS