

NOTIFICATION OF DECISION FOR URGENT IMPLEMENTATION

(Decision either included or not included on the current Forward Plan but needs to be implemented immediately by virtue of the urgency of the actions that need to be undertaken. This decision will not be subject to call-in.)

ORIGINATOR'S DETAILS

Name & Contact details:

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DETAILS OF THE REPORT

Title and brief description of the nature of the business to be considered:

Commercial Waste Collections Options

To approve the decision to wind up the Southwark Business Waste and Recycling Limited (SBWR) and transfer the provision of a commercial waste service in-house.

- *Why has this decision been delayed until now?*

London Waste & Recycling Board (LWARB) notified Southwark and the two other participating boroughs in September 2017 that London Business Waste & Recycling Ltd (LBWR) was no longer financially viable and would need to be wound down. This gave the council a very short time to analyse all available options and understand the financial and legal implications of each.

- *Why can't the decision be reasonably deferred?*

The transfer of the commercial waste service is due to take place on 1st January 2018 and it is crucial that existing waste customer contracts (approximately 150) are transferred from the SBWR to the Council. In order for this to happen the council needs to send novation (transfer) letters to customers which need to be signed and returned to the council by 31 December 2017 in order for them to continue receiving the service. Based on current timelines the earliest date the novation letters can be sent taking into account the scrutiny call-in process will be 20 December 2017. Due to the Christmas holiday period this will not give the council sufficient time to ensure customers are aware of the changes and to receive the signed novation letters.

- *How long has the department known the decision was to be taken?*

In September the council was informed by LWARB that LBWR was no longer viable. Officers have been looking at various options and in November concluded that bringing the services in house would be the preferred option. This is set out in the officer report put forward for cabinet member consideration.

- *If scheduled on the forward plan for a particular period, what's changed to make it so urgent now?*

N/a - this is a non-key decision

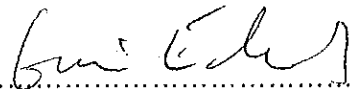
- *What is the potential cost to the council if the decision is delayed?*

There will be minimal financial cost however there will be a reputational impact and a legal risk if the customers are not given reasonable notice of the change in contract. The novation letter will ensure that the contracts are properly transferred to the council. Without the requisite formal documentation (novation letter) the council will be providing a service without a contractual arrangement in place.

Date decision to be taken on: 12 December 2017

Declaration

I agree/~~disagree~~* with the Chief Officer/Head of Service that the proposed Decision is reasonable and that it can be treated as a matter of urgency.

Signed...  Dated... 11/12/17

Chair of Overview & Scrutiny Committee/~~Mayor/Deputy Mayor~~*

* delete as appropriate

Please note reasons for refusal, additional points or further action required (as appropriate)

Please return completed form to Chidilim Agada / Everton Roberts, Constitutional Team, 160 Tooley Street, PO Box 64529, London, SE1P 5LX – tel: 020 7525 7221