

LOCAL GOVERNMENT ACT 2000

REGISTER OF URGENT
DECISIONS OF THE EXECUTIVE

NORTH DEVON COUNCIL CONSTITUTION
– Appendix 12



Reference No: 2014/06

1) SUBJECT: Recycling fleet replacement

2) REQUESTED DECISION: Increase Kerbside Recycling Vehicles budget by £92,365 by approving a virement of £91,000 from the Works Unit Vehicle budget and using £1,365 from existing budgets.

3. STATEMENT OF THE REASONS FOR THE REQUEST AND WHY IT IS URGENT

To cover anticipated increased costs of replacing recycling trucks.

An urgent decision is required for the following reasons:

- If the replacement vehicles are not ordered immediately, due to long industry lead times, there is a significant risk that delivery will not be complete until after April 2015. This is the date on which our existing fleet contract expires and the vehicles will need to be returned, leaving us without collection vehicles. This includes an existing one year extension to the contract, and Western Truck Rental have indicated that no further extension will be possible as the vehicles will then be end of life.
- We will not achieve the savings budgeted for in 2015/16 due to delayed delivery of the new fleet. These savings were based on significant reductions in the number of vehicles needed due to a far more efficient design, as well as a reduction in the numbers of staff needed to operate them.
- The rollout of collection and diversion from landfill of additional recyclable materials such as other types of plastics and batteries will have to be postponed until all the vehicles are delivered.

4) FINANCIAL IMPLICATIONS

The total funding required to purchase the twelve recycling vehicles is £1,394,000. The original budget allocated to recycling fleet replacement was £1,284,000. It is proposed to finance the shortfall of £92,365 from the vehicle replacement programme 2014/16.

As follows;

The Council's skip lorry is scheduled for replacement in 2015/16. The vehicle is still in good condition with low mileage, and while still needed, is required to service less bottle banks due to the continuing roll out of our trade waste recycling service. It is proposed to postpone replacement of this vehicle for another two years, when a decision will be taken as to whether a replacement will be needed. This will release £60,000 from the vehicle replacement programme.

Provision has been made within the renewals budget to replace two Environmental Warden vans. Due to forthcoming changes in the way we will now deliver enforcement on waste related matters, it will be possible to reduce the number of vans from two to one. This will release £13,000 from the vehicle replacement programme.

Provision was originally made within the budget to replace five transit type pickup trucks. Due to increased capacity on the new generation of narrow access dustcarts, it has been identified that some of the pick up vehicles work can be moved across to the narrow collection vehicles which are due to be delivered to us earlier than anticipated, it will now be possible to reduce the number of pickup trucks required from five to four. This will release £18,000 from the vehicle replacement programme.

These revisions provide a total of £91,000 which can be vired from the vehicle replacement programme budget to meet the shortfall.. The remaining £1,365 needed to reach the required total of £92,365 will be vired from within existing budgets.

5) ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:

Nil

6) A RECORD OF ANY CONFLICT OF INTEREST DECLARED:

None.

7) A NOTE OF ANY DISPENSATION IF GRANTED:

Not applicable.

8) THE CONSENT OF THE CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE WAS OBTAINED ON:

3rd June 2014.

9) LIST OF BACKGROUND PAPERS (but not including published works or those which disclose exempt or confidential information (as defined in rule 10 of appendix 15 (Access to Information Procedural Rules) and the advice of a political advisor):

10) CONSULTATION UNDERTAKEN:

The following have been consulted on this urgent decision:

Consultee	Consulted Yes/No	Date
Executive Member		
Ward Member(s)		
Chief Executive	Yes	23.5.14
Head of Service	Yes	23.5.14
Legal	Yes	23.5.14
Finance	Yes	23.5.14

11) APPROVED BY DECISION TAKER

Councillor Greenslade - Leader

12) NOT APPROVED BY DECISION TAKER

13) DATE THAT DECISION WAS TAKEN:

3rd June 2014.

GUIDANCE NOTES

NOTE: ALL REFERENCES TO SUB-PARAGRAPHS REFER TO APPENDIX 12 OF THE CONSTITUTION

PROCEDURE FOR DECISIONS WHICH MAY BE CONTRARY TO ADOPTED PLANS AND STRATEGIES (INCLUDING THE BUDGET):

1. The Chief Executive must notify the Leader/Deputy Leader/Other Executive Member.
2. The Leader/Deputy Leader/Other Executive Member must approve the use of the procedure and notify the Chief Executive of his approval together with his reasons.
3. The Chief Executive must notify the Chairman of the Overview and Scrutiny Committee or if unable to act the Chairman of Council or if absent the Vice-Chairman to seek his determination as to whether the conditions detailed in paragraph 1.1 (b) (i), (iii) or (iv) are satisfied.
4. The Chairman of the Overview and Scrutiny Committee or if unable to act the Chairman of Council or if absent the Vice-Chairman, must confirm to the Chief Executive in writing that the proposed decision is urgent and that either of the conditions identified in paragraph 1.1 (b) (iii) or (iv) have been satisfied, the Chief Executive shall advise the Leader, Deputy Leader or other member of the Executive that the decision may be taken by a person or body possessing a relevant power to make such a decision.
5. If a decision is specific to a Ward, efforts should be made to ascertain the views of the local Councillor (s).

PROCEDURE FOR DECISIONS WHICH ARE WITHIN THE ADOPTED PLANS AND STRATEGIES (AND CAN NOT BE INCLUDED IN THE FORWARD PLAN):

1. If the Chief Executive considers that the conditions in sub-paragraph 2.1 are satisfied, he must notify the Proper Officer of the need for the decision, the reasons why it was impracticable for it to be included in the Council's Forward Plan, and whether or not the decision is required to be taken within five working days.
2. On receiving the notification, under sub-paragraph 2.3 and where satisfied that no decision is required to be taken for five working days, the Proper Officer shall:
 - (a) notify in writing the Chairman of the Overview and Scrutiny Committee or if there is no such person, each Member of the Overview and Scrutiny Committee, with particulars of the proposed decision, the

reasons for its urgency and the reasons for it being impracticable to include in the Council's Forward Plan;

- (b) make available for public inspection at the Council offices a copy of the written notice given to the Chairman of the Overview and Scrutiny Committee about the decision.

3. Decisions to which sub paragraph 2.4 applies, shall not be made until after five working days have elapsed following publication of the proposed decision under 2.4 (b) of Appendix 12 in the Constitution.

4. Where it appears to the Chief Executive that an urgent decision-

- (a) meets the requirements of sub-paragraph 2.1 of Appendix 12 of the constitution; and
- (b) because of the urgency cannot be deferred for five working days,

he shall seek the agreement and confirmation in writing on both those points from-

- (c) the Proper Officer; and
- (d) the Chairman of the Overview and Scrutiny Committee or in his absence the Chairman of Council or if there is no Chairman the Vice-Chairman of Council;

and the person or body possessing a relevant power to make the decision may proceed to make it only when the necessary agreement and confirmation have been obtained.

5. If a decision is specific to a Ward, efforts should be made to ascertain the views of the local Councillor (s).