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Date: 18<sup>th</sup> December, 2017

Dear Sir/Madam,

A meeting of the **CABINET** will be held in the Committee Room A, Town Hall, Nuneaton on Wednesday, 3<sup>rd</sup> January, 2018 at **6.00 p.m.**

Please note that meetings are recorded for future broadcast.

Yours faithfully,

ALAN FRANKS

Managing Director

To: Members of Cabinet

Councillor D. Harvey	(Finance and Civic Affairs (Leader))
Councillor J.A. Jackson	(Housing (Deputy Leader))
Councillor D. Aldington	(Planning and Development)
Councillor I.K. Lloyd	(Arts and Leisure)
Councillor G.D. Pomfrett	(Central Services)
Councillor B.J. Longden	(Health and Environment)

## AGENDA

### PART I

#### PUBLIC BUSINESS

1. EVACUATION PROCEDURE

A fire drill is not expected, so if the alarm sounds please evacuate the building quickly and calmly. Please use the stairs and do not use the lifts. Once out of the building, please gather outside the Yorkshire Bank on the opposite side of the road.

Exit by the door by which you entered the room or by the fire exits which are clearly indicated by the standard green fire exit signs.

If you need any assistance in evacuating the building, please make yourself known to a member of staff.

Please also make sure all your mobile phones are turned off or set to silent.

I would also advise you that the meeting if all or part of the meeting will be recorded for future broadcast.

2. APOLOGIES - To receive apologies for absence from the meeting.

3. DECLARATIONS OF INTEREST

To receive declarations of Disclosable Pecuniary and Other Interests, in accordance with the Members' Code of Conduct.

Declaring interests at meetings

If there is any item of business to be discussed at the meeting in which you have a disclosable pecuniary interest or non-pecuniary interest (Other Interests), you must declare the interest appropriately at the start of the meeting or as soon as you become aware that you have an interest.

Arrangements have been made for interests that are declared regularly by members to be appended to the agenda (**Page 5**). Any interest noted in the Schedule at the back of the agenda papers will be deemed to have been declared and will be minuted as such by the Committee Services Officer. As a general rule, there will, therefore, be no need for those Members to declare those interests as set out in the schedule.

There are, however, TWO EXCEPTIONS to the general rule:

1. When the interest amounts to a Disclosable Pecuniary Interest that is engaged in connection with any item on the agenda and the member feels that the interest is such that they must leave the room. Prior to leaving the room, the member must inform the meeting that they are doing so, to ensure that it is recorded in the minutes.

2. Where a dispensation has been granted to vote and/or speak on an item where there is a Disclosable Pecuniary Interest, but it is not referred to in the Schedule (where for example, the dispensation was granted by the Monitoring Officer immediately prior to the meeting). The existence and nature of the dispensation needs to be recorded in the minutes and will, therefore, have to be disclosed at an appropriate time to the meeting.

Note: Following the adoption of the new Code of Conduct, Members are reminded that they should declare the existence and nature of their personal interests at the commencement of the relevant item (or as soon as the interest becomes apparent). If that interest is a Disclosable Pecuniary or a Deemed Disclosable Pecuniary Interest, the Member must withdraw from the room.

Where a Member has a Disclosable Pecuniary Interest but has received a dispensation from Audit and Standards Committee, that Member may vote and/or speak on the matter (as the case may be) and must disclose the existence of the dispensation and any restrictions placed on it at the time the interest is declared.

Where a Member has a Deemed Disclosable Interest as defined in the Code of Conduct, the Member may address the meeting as a member of the public as set out in the Code.

Note: Council Procedure Rules require Members with Disclosable Pecuniary Interests to withdraw from the meeting unless a dispensation allows them to remain to vote and/or speak on the business giving rise to the interest.

Where a Member has a Deemed Disclosable Interest, the Council's Code of Conduct permits public speaking on the item, after which the Member is required by Council Procedure Rules to withdraw from the meeting.

4. MINUTES - To confirm the minutes of the Cabinet meeting held on the 22<sup>nd</sup> November, 2017 **(Page 7)**
5. PUBLIC CONSULTATION - **Members of the public will be given the opportunity to speak on specific agenda items if notice has been received.**
6. KERBSIDE RECYCLING MATERIALS SORTING AND REPROCESSING – report of the Director – Assets and Street Services attached **(Page 16)**
7. BUILDING MATERIALS SUPPLY CONTRACT– report of the Director – Housing and Communities attached **(to follow)**
8. RECOMMENDATIONS FROM OVERVIEW AND SCRUTINY PANELS
9. ANY OTHER ITEMS which in the opinion of the Chair of the meeting should be considered as a matter of urgency because of special circumstances (which must be specified).

## CORPORATE PLAN AIMS AND PRIORITIES

- Aim 1** - To improve the quality of life and social justice for residents so it is much closer to that enjoyed by the rest of Warwickshire.
- Priority 1** - To provide a choice of housing to meet the needs of the residents of the Borough.
- Priority 2** - To create a healthy, diverse and robust economy which provides employment opportunities for local people.
- Priority 3** - To work in partnership to improve health and reduce health inequalities for residents in the Borough.
- Priority 4** - To develop a confident, cohesive and diverse community.
- Aim 2** - To work in partnership to reduce the level of crime and disorder so that the community is and feels safer.
- Priority 1** - Dealing with anti-social behaviour by working in partnership and provide diversionary activities to engage with youngsters.
- Priority 2** - Environmental improvements and support for selective CCTV to reduce fear of crime.
- Priority 3** - Use of the Council's enforcement powers to support community safety initiatives.
- Aim 3** - To provide a pleasant environment for those living, working and visiting the Borough.
- Priority 1** - To create a greener and cleaner environment.
- Priority 2** - To lead in environmental issues addressing climate change and protection of the environment.
- Aim 4** - To provide quality services which represent value for money.
- Priority 1** - To continue to improve the performance and quality of key services.
- Priority 2** - To improve access arrangements for all Council services and the way that those who use them are treated.
- Priority 3** - To use value for money procedures to test the way all services are delivered.

## Cabinet - Schedule of Declarations of Interests

	Name of Councillor	Disclosable Pecuniary Interest	Other Personal Interest	Dispensation
	General dispensations granted to all members under s.33 of the Localism Act 2011			Granted to all members of the Council in the areas of: <ul style="list-style-type: none"> <li>- Housing matters</li> <li>- Statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992</li> <li>- An allowance, payment given to members</li> <li>- An indemnity given to members</li> <li>- Any ceremonial honour given to members</li> <li>- Setting council tax or a precept under the Local Government Finance Act 1992</li> <li>- Planning and Licensing matters</li> <li>- Allotments</li> </ul>
	D. Harvey		Non-Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak & vote
	D. Harvey		Director on the Pride of Camp Hill Board	
	B.J. Longden		Member of the Stockingford Community Centre.	
	B.J. Longden		Ex Officiate of the Veterans Contact Point Board.	
	B.J. Longden		Daughter and son-in-law work in the NHS	
	J. Jackson	Any matter relating to the Employment policies and procedures of		Dispensation to speak and vote on matters that do not relate specifically to her husband's

		Nuneaton & Bedworth Borough Council or SLM Community Leisure (by reason of her husband's employment with Nuneaton and Bedworth Borough Council and Sport and Leisure Management)		contract of employment or the service unit in which he is employed
	J. Jackson		Non-Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak & vote
	G. Pomfrett		Warwickshire Police and Crime Panel	

**NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**CABINET**

**22<sup>nd</sup> November, 2017**

A meeting of the Cabinet was held at the Town Hall, Nuneaton, on Wednesday, 22<sup>nd</sup> November, 2017.

**Present**

Councillor D. Aldington	(Planning and Development)
Councillor D. Harvey	(Finance and Civic Affairs (Leader))
Councillor J.A. Jackson	(Housing and Communities (Deputy Leader))
Councillor I.K. Lloyd	(Arts and Leisure)
Councillor B.J. Longden	(Health and Environment)
Councillor G.D. Pomfrett	(Central Services)

Apologies were received for Councillor Jill Sheppard – Chair of Health OSP in relation to agenda item 12a) however Shirley Round was in attendance for any questions.

**CB35 Minutes**

**RESOLVED** that the minutes of the meeting held on the 1<sup>st</sup> November, 2017 be approved and signed by the Chair.

**CB36 Declarations of Interest**

The Declarations of Interest for this meeting are as set out in the Schedule attached to these minutes.

**CB37 General Fund and HRA Draft Budgets for 2018/19**

The report of the Director – Finance and Procurement, was submitted to update Cabinet on the forecast outturn for both the General Fund and HRA for 2017/18. It also presented Cabinet with the draft General Fund budget position for 2018/19 along with a number of saving proposals and an update on the HRA budget process for 2018/19. In addition the Director – Finance and Procurement gave a verbal update on the autumn budget that was announced by Government on the day of the meeting and the possible outcomes and risks this may have on the Local Authority budgets.

**RESOLVED** that

- a) the forecast outturn for the General Fund and HRA for 2017/18 be noted.
- b) the revised General Fund Capital Programme for 2017/18 be recommended for Council approval;
- c) the draft General Fund budget position for 2018/19 as set out at section 4.14 of the report be noted;

- d) the savings proposed for 2018/19 as set out at section 4.15 of the report be approved and the remaining budget deficit for 2018/19 be noted;
- e) Delegated Authority be given to the Director – Regeneration and Public Protection to carry out a tender process for externalizing the Pest Control service;
- f) due to the budget implications and the timescales required to either implement the savings at 4.15 of the report or seek alternative savings, that the item be marked not for call in; and
- g) to comply with the Budget & Policy Framework Procedure Rules in Part 4C of the Constitution, the chairs of the Overview & Scrutiny Panels be notified of the budget proposals, as set out in paragraph 4.19 of the report.

Speakers:

Mike Bannister – Warwickshire Employment Rights Service  
Councillor Keith Kondakor  
Michele Kondakor  
Councillor Bob Copland  
Councillor Kris Wilson

Options

To not accept the recommendations and propose alternative savings for 2018/19

Reasons

The Council must set and maintain a balanced budget each year.

**CB38 Treasury Management 2017/18 – Mid Year Review**

The report of the Director – Finance and Procurement was submitted to Cabinet as the Council is required through regulations issued under the Local Government Act 2003 to produce a mid year review report on treasury management activities of the Council. The report met the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code)

**RESOLVED** that

- a) it be recommended to full Council that;
  - i. the report be noted; and
  - ii. the changes to the prudential indicators as detailed within the report and summarized at Appendix A of the report be approved
- b) thanks be expressed to officers for their hard work.

Speakers:

Councillor Keith Kondakor  
Councillor Kris Wilson



Options:

None – statutory requirement for treasury and prudential indicators to be approved by full council

Reasons:

To comply with the CIPFA Code of Treasury Management.

**CB39 Local Council Tax Support 2018/19**

The report of the Head of Revenues and Benefits presented Cabinet with the Local Council Tax Support Scheme for 2018/19.

**RESOLVED** that it be recommended to Council that:

- a) the proposed Local Council Tax Support Scheme for 1<sup>st</sup> April 2018 onwards is approved
- b) the Director of Finance and Procurement be given delegated authority to make minor amendments to the scheme in consultation with the portfolio holder for Finance and Civic Affairs; and
- c) as the recommendation from this report require Council approval on 6<sup>th</sup> December 2017, this report be marked not for call in on the grounds of urgency.

Speakers:

Councillor Keith Kondakor  
Michele Kondakor

Options:

To accept the recommendations above or propose an alternative scheme for 2018/19, taking into consideration timescales for consultation and implementation.

Reasons:

The Council is required to agree a Local Council Tax Support Scheme each year by 31<sup>st</sup> January.

**CB40 100% Business Rates Retention Pilots – Application for a Warwickshire Pool**

A report from the Director – Finance and Procurement updated Cabinet on the government's intentions to expand the pilot programme for 100% Business Rates Retention. The report also presents Cabinet with the final submission from Warwickshire to be a pilot for 100% business rates retention for 2018/19.

**RESOLVED** that

- a) the application to the Department of Communities and Local Government for Warwickshire to become a pilot pool for 100% business rates retention be noted; and
- b) due to the timescales involved in the proves the report be marked not for call in as the decision has already been made under Emergency Powers.

Speakers:

Councillor Keith Kondakor  
Councillor Kris Wilson

Options:

To accept the report or request further information

Reasons:

To accept the report or request further information.

CB41 **Establishment of a Local Government Mutual Company**

A report was submitted to Cabinet by the Director - Finance and Procurement and Director – Governance and Recreation on the view to work with the LGA in developing a new Mutual for Local Government which will aim to offer comparable insurance cover to LGA members at a competitive rate. The Mutual would be owned and controlled by its members, and professionally managed by FCA authorised industry experts.

**RESOLVED** that

- a) the Council's participation as a Founding Member of Newco and to nominate the Portfolio Holder for Central Services to be a Director of Newco be supported.
- b) The Director – Finance and Procurement be authorised to share the Council's relevant risk transfer and protection data with the LGA officers working on the project on a strictly confidential basis;
- c) it be approved to instruct officers to consider the business case for utilising the Mutual at the appropriate time and to report accordingly to the Cabinet with a recommendation; and
- d) thanks be expressed to officers and Councillor Pomfrett – Portfolio Holder for Central Services for their hard work.

Speakers:

None

Options:

To reject the recommendation

Reasons:

The report simply seeks approval for the Council to participate in establishing a mutual company but without any financial exposure. A mutual company may assist in achieving reduced insurance premia in future years.

**CB42 Quarterly Review of Strategic Performance Report (End of September 2017)**

The Strategic Performance Report and Commentary provided Cabinet with an overview of the Council's position under the following key categories:

- Finance and Resources
- People and Service Delivery
- Processes
- Prospects for Improvement

**RESOLVED** that

- a) clarification be provided on the figures for the Annual Development Reviews in respect of what factors are included to give the final figure;
- b) all members be given the opportunity to visit the new depot at Gresham Road;  
and
- c) the report be noted.

Speakers:

Councillor Keith Kondakor  
Councillor Kris Wilson

Options:

Note the report and request feedback on action being taken to improve indicators

Reasons:

Concern over under-performance

**CB43 Recommendations from Overview and Scrutiny Panels**

Health Overview and Scrutiny Panel – 2<sup>nd</sup> November 2017

The Head of Committee Services officer presented to Cabinet the recommendation received from Health OSP. This recommendation stemmed from a presentation made at a meeting of the Health OSP on the 2<sup>nd</sup> November 2017 giving feedback from the Dementia Conference held in May 2017. The resulting action was the formation of the Nuneaton and Bedworth Dementia Action Alliance (DAA), the first of its kind to be created in the County.

**RESOLVED** that it be approved that the Council will support from within existing resources and continue to assist towards the Borough becoming more dementia friendly by;

- a) further ongoing training for members and officers be provided including the Dementia Friends Programme for front-line staff and managers
- b) raising awareness and signposting with Council contacts, including partners and associations;
- c) providing dementia guidance to local businesses and organisation through the auspices of the DAA; and
- d) supporting the DAA in carrying out a dementia friendly audit of the public areas of the Town Hall and Bedworth Area Offices.
- e) ensuring contracts for Council premises include dementia friendly guidance

**CB44 Exclusion from Public and Press**

**RESOLVED** that under section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item, it being likely that there would be disclosure of exempt information of the description specified in paragraph (iii) of Part 1 of the schedule 12A to the Act.

**CB45 Private Sector Housing Shared Service**

The Director – Housing and Communities submitted a report to Cabinet to consider the creation of a shared Private Sector Housing Services with North Warwickshire Borough Council hosted by Nuneaton and Bedworth.

**RESOLVED** that

- a) it be recommended to Council that;
  - i. the Council enter into a shared services arrangement with North Warwickshire Borough Council to discharge North Warwickshire Borough Council functions related Housing Acts and other relevant functions in accordance with Section 101 of the Local Government Act 1972 and of the Local Government (Arrangements for the Discharge of Functions) (England) Regulations 2000;
  - ii. Delegated Authority be given to the Director – Housing and Communities, in consultation with the Portfolio-Holder for Housing & Communities, to agree the terms for the provision of the functions on behalf of the partner authorities.
  - iii. The vacant Senior Private Sector Housing post is increased from 30 hours to 37 hours to help accommodate the additional work on a temporary basis using a reserve previously created to mitigate HEART risks during its establishment.
- b) thanks be expressed to officers for their hard work;

Speakers:

None

Options:

To seek to negotiate a different arrangement for the delivery of the services.  
To continue operating as an individual private sector housing service.

Reasons:

To strengthen the Private Sector Housing function and make efficiencies from hosting the shared service.

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Chair

**PUBLICATION DATE:** 27<sup>th</sup> November, 2017

**DECISIONS COME INTO FORCE:** 5<sup>th</sup> December, 2017

## Cabinet - Schedule of Declarations of Interests

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	D. Harvey		Non-Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak & vote
	D. Harvey		Director on the Pride of Camp Hill Board	
	B.J. Longden		Member of the Stockingford Community Centre.	
	B.J. Longden		Ex Officiate of the Veterans Contact Point Board.	
	B.J. Longden		Daughter and son-in-law work in the NHS	
	J. Jackson	Any matter relating to the Employment policies and procedures of		Dispensation to speak and vote on matters that do not relate specifically to her husband's

		Nuneaton & Bedworth Borough Council or SLM Community Leisure (by reason of her husband's employment with Nuneaton and Bedworth Borough Council and Sport and Leisure Management)		contract of employment or the service unit in which he is employed
	J. Jackson		Non-Executive Director with Nuneaton and Bedworth Community Enterprises Limited	Dispensation to speak & vote
	G. Pomfrett		Warwickshire Police and Crime Panel	

## CABINET

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### Report Summary Sheet

**Date:** 3rd January 2018

**Subject:** Kerbside Recycling Materials Sorting and Reprocessing

**Portfolio:** Health and Environment [Councillor Barry Longden]

**From:** Director – Assets and Street Services

**Summary:** This report seeks Cabinet's approval to undertake a procurement exercise to appoint a suitable organisation to undertake the sorting and reprocessing of recyclable materials collected at the kerbside from October 2018 onwards.

**Recommendations:**

That approval be given to carry out a procurement exercise to appoint a suitable organisation to undertake the sorting and reprocessing of recyclable materials collected at the kerbside from October 2018 onwards.

**Reasons:** The current kerbside recycling contract between Palm Recycling Limited and Nuneaton and Bedworth Borough Council (NBBC) commenced in October 2013 to deliver both the collection and disposal aspects of the recycling service to residents. This contract expires in October 2018 and NBBC need to undertake a procurement exercise to obtain tenders from appropriate market providers to continue the kerbside recycling service.

Following detailed consideration by officers and the Planning & Environment Overview and Scrutiny Panel it has been decided to separate the kerbside recycling collection and the materials sorting / reprocessing elements of the overall kerbside recycling service going forward. This will enable NBBC to manage the risk to the authority should future materials markets decline and also allow for representative industry experts to tender for each aspect of the



contract separately, hopefully leading to more competitive tender prices.

- Options:**
1. Approve the recommendations
  2. Do not approve the recommendation.

**Subject to call-in:** Yes.

**Forward plan:** Yes.

**Corporate priorities:** Key Aim 3, Priority 1 and Key Aim 4, Priority 1

**Relevant statutes or policy:** Public Contracts Regulations 2015

**Equal opportunity implications:**

No direct equal opportunities implications.

**Human resources implications:**

No direct human resources implications.

**Financial implications:** The recommended procurement activity should lead to the best financial outcome for the Borough Council going forward.

**Health Inequalities Implications:**

No direct health inequalities implications.

**Section 17 - Crime and Disorder Implications:**

No direct Section 17 – Crime and Disorder implications.

**Risk management implications:**

The recommended procurement activity will be fully compliant with the Public Contracts Regulations 2015 and will ensure that the procurement is compliant with EU legislative requirements.

**Environmental implications:**

The recommended procurement activity should help the Borough Council to improve further its recycling performance over the coming years.

**Legal implications:**

The procurement process will be subject to the Public Contracts Regulations 2015 (i.e. subject to EU Procurement Directives).

**Contact details:**

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Or

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## **AGENDA ITEM NO.6**

### **NUNEATON AND BEDWORTH BOROUGH COUNCIL**

**Report to:** Cabinet – 3<sup>rd</sup> January 2018

**From:** Director– Assets and Street Services

**Subject:** **Kerbside Recycling Materials Sorting and Reprocessing**

**Portfolio:** Health and Environment [Councillor Barry Longden]

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#### **1. Purpose of Report**

- 1.1 To seek Cabinet's approval to undertake a procurement exercise to appoint a suitable organisation to undertake the sorting and reprocessing of recyclable materials collected at the kerbside from October 2018 onwards.

#### **2. Recommendations**

- 2.1 That approval be given to carry out a procurement exercise to appoint a suitable organisation to undertake the sorting and reprocessing of recyclable materials collected at the kerbside from October 2018 onwards.

#### **3. Report**

- 3.1 The current kerbside recycling contract between Palm Recycling Limited and Nuneaton and Bedworth Borough Council (NBBC) commenced in October 2013 to deliver both the collection and disposal aspects of the recycling service to residents. This contract expires in October 2018 and NBBC need to undertake a procurement exercise to obtain tenders from appropriate market providers to continue the kerbside recycling service.
- 3.2 Following detailed consideration by officers and the Planning & Environment Overview and Scrutiny Panel it has been decided to separate the kerbside recycling collection and the materials sorting / reprocessing elements of the overall kerbside recycling service going forward. This will enable NBBC to manage the risk to the authority should future materials markets decline and also allow for representative industry experts to tender for each aspect of the contract separately, hopefully leading to more competitive tender prices.

Due to the detail needed to produce a meaningful specification for the kerbside recycling collection contract [e.g. Material tonnages, disposal location] the materials sorting / reprocessing contract will need to be let before the formal procurement process for the kerbside recycling collection can commence.

- 3.3 Dovetailing into the above was a commitment arising from our membership of the Warwickshire Waste Partnership to consider the option of jointly entering into a contract with other collection authorities to hopefully make the tender more attractive to potential tender applicants and to promote a more cost effective approach to the procurement process. Therefore in autumn 2017 meetings were arranged with key officers from North Warwickshire Borough Council [NWBC] and Rugby Borough Council [RBC] to facilitate the inclusion of their kerbside recycling materials sorting / reprocessing requirements into our contract.
- 3.4 To allow for the above, the contract specification for the sorting and reprocessing of recyclable materials has been constructed on a 'LOT' basis where all sorting / reprocessing parameters can be considered and evaluated [operationally and financially] to cover all local requirements and offer suitable alternatives if required at a later date.
- 3.5 It is anticipated that an evaluation team consisting of NBBC, NWBC and RBC officers will be assembled to assess the tender returns using the evaluation criteria built into the procurement process. For information key elements of the evaluation criteria for quality aspects of the returned tenders will include :
- Waste Transfer station
  - Distance travelled to delivery point
  - Material Quality and Markets
  - Compatibility for collection arrangements
  - Site Safety
  - Staff training
  - Assistance to the Council to improve recycling performance
  - Community and Environmental quality
  - Environmental / Corporate and Social responsibility (IOS14,000 + IOS 9,000) / local proximity benefits
  - Added value and innovation
  - Business continuity and disaster.