

# KENT COUNTY COUNCIL – URGENT RECORD OF DECISION

## DECISION TAKEN BY

**Rob Thomas**

**Cabinet Member for Environment**

## DECISION NO:

24/00087

### For publication

### Key decision

Yes

- Expenditure over £1m
- Affects more than two electoral divisions

**Subject:** 18-month Extension for delivery of household waste recycling centre and waste transfer station operation, management, and haulage contracts in Mid, East and West Kent (SC18031 and SC18031 WK)

### Decision:

As Cabinet Member for Environment I agree to

(i) APPROVE the use of an 18-month extension for the current household waste recycling centre and waste transfer station operation, management, and haulage contracts in Mid, East, and West Kent (SC18031 and SC18031 WK) on the current terms and conditions; and

(ii) DELEGATE authority to the Director of Environment and Circular Economy to take all relevant actions, including but not limited to, negotiating, finalising and awarding the required contracts and other legal agreements, as necessary to implement the decision.

### Reason(s) for decision:

The current contracts are due to expire in October 2025. New contracts are being procured and need to be in place when contracts expire to continue this statutory service.

### Reason for Urgency

In July, when the Cabinet Member for Environment took a decision to re-procure contracts for operation, management, and haulage services of household waste recycling centres (HWRCs) and co-located waste transfer stations (WTS) in East, Mid and West Kent, the intention was that the new contracts would be awarded in Spring 2025 and following a six-month mobilisation would commence from November 2025.

Since taking this decision, the initial market engagement has identified a significant financial risk concerning the proposed six-month mobilisation period that would lead to an increased procurement cost as the successful bidder could not procure new vehicles to deliver the contract within this period and would need to hire vehicles for a period of 12-18 months, at additional cost of £1.45m

As such, it is recommended that the current contracts are extended to over the period the market has indicated will be necessary to procure and take delivery of the new vehicles. The extensions will be on current terms and conditions and can be met from existing budgets. However, as notice on the current contracts had been served, the contract extensions need to be agreed urgently to ensure continuity of this statutory avoid the additional unbudgeted mobilisation costs.

Guidance has also been provided from Legal, Commercial, and Procurement to ensure the contract extensions are legally compliant and on best possible commercial terms for Kent.

**Cabinet Committee recommendations and other consultation:**

No, Cabinet Committee consideration was possible due to the urgency process, however all Members of Environment and Transport Cabinet Committee were invited to a private member briefing following the rising of the meeting on 19 September.

**The Chair of Scrutiny Committee provided the following comments:**

*I am content with the documented details and confirm my agreement.*

**The Group Spokespeople provided the following comments:**

*Mr Brady - It is within the Cabinet Members gift to make these decisions. I would suggest that this is brought to the committee, post decision, to be scrutinised by the full committee in more detail.*

**The Chair and Spokespeople of the Environment and Transport Cabinet Committee provided the following comments:**

*No specific comments provided*

**Any alternatives considered:**

The option to retain the original mobilisation period of 6-months has been discounted due to the increased price implications to Kent

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**



23/09/2024

signed

date

Name: