

**From:** Mike Whiting, Cabinet Member for Planning, Highways, Transport and Waste  
David Beaver, Head of Waste Management

**To:** Environment & Transport Cabinet Committee – 10 October 2019

**Decision No:** 19/00069

**Subject:** Provision of a new Household Waste Recycling Centre (HWRC) to serve the needs of Tonbridge and Malling Borough and West Maidstone Residents

**Classification:** Unrestricted

**Past Pathway of Paper:** N/A

**Future Pathway of Paper:** For Cabinet Member decision

**Electoral Division:** Tonbridge & Malling & Maidstone

**Summary:**

Waste Management proposes to secure a contract to provide a new Household Waste Recycling Centre (HWRC) to serve residents within Tonbridge and Malling Borough and West Maidstone.

**Recommendation(s):**

The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Planning, Highways, Transport and Waste to award a contract for a new Household Waste Recycling Centre (HWRC) to serve the needs of Tonbridge and Malling Borough and West Maidstone (as shown at Appendix A).

## **1. Introduction**

- 1.1 The HWRC serving Maidstone at Tovil has reached its practical capacity. The capacity issues are associated with the large catchment of the Tovil site and are compounded by the fact that the residents of Tonbridge and Malling Borough do not have a HWRC within its administrative area.
- 1.2 Additional pressures will also be placed upon the Tovil site when the current agreement for Kent residents to use the Medway Council facility at Cuxton ceases in November 2020. It is for these reasons that a new HWRC facility to serve these areas residents is required.

## **2. The Report**

- 2.1 The Kent Waste Disposal Strategy identified several capacity issues across the network of HWRC sites in West Kent, across both the short and medium term. In particular, the HWRC serving Maidstone, at Tovil was noted to have a large population catchment and predicted to be over tonnage limits by 2025. In reality though, the site has reached its practical capacity now, resulting in severe congestion on public highway leading to the site, causing delays to visitors of the HWRC and the wider road network. However, demand continues to grow, such that there are now no practicable options to make further efficiency improvements at this site. Furthermore, future forecast housing growth / population increase indicates a significant increase in capacity is now required in this area.
- 2.2 The capacity issues associated with the large population catchment of the Tovil site are exacerbated by the fact that the Tonbridge & Malling Borough area, bordering Maidstone to the west does not have an HWRC within its confines. Customer postcode data confirms that a significant number of T&M residents use the Tovil site, as well as the Medway Council facility at Cuxton.
- 2.3 Currently there is an agreement for Kent residents to use the Medway Council facility at Cuxton; however, this is a temporary measure agreed until 23rd November 2020. The demand from Kent residents in the north of the Tonbridge & Malling Borough and west Maidstone area will increase, placing a greater pressure on the Tovil HWRC. Additionally, those HWRCs slightly further afield, at North Farm and Pepperhill are also limited. The Pepperhill HWRC is already at capacity with the North Farm site predicted to be at capacity by 2025.
- 2.4 In order to address these capacity issues, it was concluded that an HWRC to serve west Maidstone and Tonbridge & Malling residents is required. As such, site searches were undertaken and a PIN (Public Information Notice) was issued in 2018 to determine the level of market appetite and practicalities of developing a new HWRC service.
- 2.5 The proposed delivery model is for a new “turnkey” facility for which KCC is to pay a management fee. This delivery model has been used previously and successfully implemented by Waste Management, with a proposed 20-year term being considered as providing the optimum Contract period in terms of cost to the Authority

2.6 A call for competition was issued 16<sup>th</sup> August with a return date of 16<sup>th</sup> September 2019. The invitation to tender is to be sent shortly after this date. A timescale for delivery has been set for full implementation of the new HWRC by September 2020.

2.7 The site location must be strategically located to best serve the catchment area for those Kent residents expected to use the facility, with a particular requirement to not burden existing highway capacity.

### **3. Financial Implications**

3.1 This delivery model set out in paragraph 2.5 will require additional revenue funding, as such, an increase in revenue provision is made within the 2019/20 budget & further proposed within the 20/21 MTFP. Additionally, existing budgeted funding for the Medway charges which will become available when the project is delivered.

### **4. Legal Implications**

4.1 This contract variation enables the Authority to discharge its statutory duty as Waste Disposal Authority. KCC will be using Regulation 12 (Public Contracts between entities within the public sector) of the Public Contracts Regulations 2015 to vary this Contract.

4.2 The terms and conditions of contract will be KCC's model terms and conditions. As the value of the contract will be more than £1million, the contract will need to be sealed by KCC's General Counsel.

4.3 A key function of the Waste Disposal Authority operating under the Environmental Protection Act 1990, is to provide outlets for the collected municipal waste.

### **5 Risks**

5.1 The key risk is the delivery timescale. Bidders will be required to specify from which date they will be able to provide the new service, and this will form an element of the award assessment process.

### **6. Equalities and DPIA implications**

6.1 Initial screening of the data protection impact assessment has determined there to be no exchange of personal data. Equalities impact assessment has determined a low impact against all protected characteristics. The contract mandates the supplier to adhere to all aspects of the Equality Act 2010

## 7. Policy Framework

7.1 This commission accords with the supporting outcome within the Strategic Outcome Plan;

*Kent's physical and natural environment is protected, enhanced and enjoyed by residents and visitors*

7.2 The Kent Joint Municipal Waste Management Strategy has three key policy statements that support the Waste Regulations. These apply directly to this proposed procurement;

- Policy 8 - The Kent Waste Partnership will achieve a minimum level of 40% recycling and composting of house household waste by 2012 and will seek to exceed this target.
- Policy 11 - The KWP will strive to make waste and recycling services accessible and easy to use for all householders, across all housing types and sectors of the community.

## 8. Conclusions

8.1 Analysis work undertaken demonstrates that a new HWRC to serve residents of Tonbridge and Malling and residents of West Maidstone is urgently required.

8.2 It is considered that the best delivery model available for achieving this outcome is for the new HWRC to be of a "turnkey" design with KCC to pay a management fee.

8.3 Market engagement, tendering and award timescales have been set to enable an ambitious but, achievable, delivery timescale at an appropriate location.

8.4 The project will have a positive impact upon the operation of the existing HWRCs in the area, as it will help to alleviate over capacity issues. It will also remove dependency upon the time bound agreement with Medway Council to use their facility at Cuxton and provide a more sustainable HWRC service for residents.

## 9. Recommendation(s)

### **Recommendation(s):**

The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Planning, Highways, Transport and Waste to award a contract for a new Household Waste Recycling Centre (HWRC) to serve the needs of Tonbridge and Malling Borough Council (T&MBC) and West Maidstone Residents (as shown at Appendix A).

## 10. Appendices:

Appendix A: Proposed Record of Decision  
EqIA

## 11. Contact details

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