

KENT COUNTY COUNCIL –PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Rob Thomas, Cabinet Member for Environment

DECISION NO:

24/00065

For publication**Key decision: YES / NO****Subject Matter / Title of Decision:**

Approval to award a new contractual arrangement for the receipt and processing of dry mixed recyclable waste (with fibre and glass) for Mid Kent, West Kent, Thanet and Canterbury (SC240042)

Decision:

As Cabinet Member for Environment, I agree to:

APPROVE the procurement and contract award of a N+P via the CSKL Framework for the receipt and processing of dry mixed recyclables for an initial period of 24 months, with up to a further 36 months extension period.

DELEGATE authority to the Director of Environment and Circular Economy, to take relevant actions to facilitate the required procurement activity;

DELEGATE authority to the Director of Highways and Transportation, in consultation with the Cabinet Member for Environment to take relevant actions, including but not limited to, awarding, finalising the terms of and entering into the relevant contracts or other legal agreements, as necessary, to implement the decision; and

DELEGATE authority to the Director of Environment and Circular Economy in consultation with the Cabinet Member for Environment to award extensions of the contract in accordance with the extension clauses within the contract (up to 36 months).

Reason(s) for decision:

A key function of the Waste Disposal Authority operating under the Environmental Protection Act 1990, is to provide outlets for the processing of dry recyclables. The current three year (plus one year extension) is due to expire on 21 October 2024, with no further extension permitted

Cabinet Committee recommendations and other consultation:

The Members of Environment and Transport Cabinet Committee will consider the proposal at their meeting on 9 July 2024.

Any alternatives considered and rejected:

Option 1: Do nothing and discontinue accepting the DMR waste from the collection authorities; this is not an option as when the contract ceases on 21st October 2024, KCC will be in breach of its statutory duty under the Environmental Protection Act 1990.

Option 2: Continue to accept the waste, but utilise alternative disposal methods by using landfill or incineration; this is not an option as there is a priority to move this material up the waste hierarchy to meet landfill diversion targets, improve recycling rates, achieve better value via a contractual arrangement with a contractor who specialises in managing DMR waste, and avoid incineration as it is costly in comparison.

Option 3 - To award a contract via the CSKL Framework to the incumbent contractor N+P for

seven years via CSKL Framework. The new legislation poses unquantified outcomes which will impact the risk profile of the contract post 2026. These risks will be costed into the pricing mechanism to minimise risk for the contractor, making this a more expensive option.

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

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signed

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date