

## KENT COUNTY COUNCIL – RECORD OF DECISION

### DECISION TAKEN BY

Susan Carey  
Cabinet Member for Environment

### DECISION NO:

20/00059

### For publication

### Key decision\*

Yes

**Subject:** West & Mid Kent Dry Recyclable Processing Contracts Lots 1 & 2 (SS15105) and Contract for the Processing of Wood Waste 2010 – 2015 (09/23).

### Decision:

As Cabinet Member for Environment, I agree to provide authority to the Corporate Director for Growth, Environment and Transport to extend the:

- West & Mid Kent Dry Recyclables Processing Contracts Lots 1 & 2 (SS15105) and
- Contract for the Processing of Wood Waste 2010 – 2015 (2020) (09/23).

### Reason(s) for decision:

Under the Environmental Protection Act 1990, as the Waste Disposal Authority, KCC has a legal obligation to provide a waste disposal service. Under the Procurement Policy Note 01/20:

The current contracts were awarded to:

- Viridor Waste Management Ltd: West & Mid Kent Dry Recyclable Processing Contracts Lots 1 & 2. SS 15 105 that commenced 4<sup>th</sup> July 2016 and is due to end 3<sup>rd</sup> July 2020. The term of the extension will be to 3<sup>rd</sup> July 2021.
- Countrystyle Recycling Limited – Contract for the Processing and Recycling of Wood Waste 2010 – 2015 (2020) - 09/23 that commenced 15<sup>th</sup> November 2010 and is due to end 14<sup>th</sup> November 2020. The term of the extension will be to the 14<sup>th</sup> November 2021.

The contracted services are to receive, handle and process household dry recyclables collected kerbside by the Waste Collection Authorities and wood waste deposited at the Household Waste Recycling Centres (HWRCs).

Waste Management are currently deployed in several complex, challenging commissioning activities and therefore the extensions will allow KCC Waste Management enough time to focus on the critical service needs during the COVID-19 pandemic, whilst ensuring secured service commitment.

Both contracts continue to offer KCC market value, as determined by the information obtained from the PIN for dry recyclables and price reduction for wood processing. Both contracts are let on a limited basis of one year whereupon fully commissioning will be undertaken.

Under the Procurement Policy Note 01/20: Responding to COVID-19 which states that where there is an urgent requirement for goods, services or works due to or responding to the impact of COVID-19, procurement is permissible under Public Contract Regulations 2015 (PCRs) using regulation 32(2)(C). The extension of these contracts will enable the Authority to continue the current services for an interim period to meet the statutory obligations of the Disposal Authority, whilst allowing time

to commence a full and comprehensive commissioning process.

**Cabinet Committee recommendations and other consultation:**

Public consultation is not required as there is no impact on the end user.

Cabinet Committee Members were engaged informally via email in advance of this proposed decision being published and all comments received were duly considered by the Cabinet Member as part of their decision-making.

**Any alternatives considered:**

There are two options as follows:

1. Do nothing – the current contracts will elapse with no arrangement in place.
2. Extend the existing arrangements under the current contracts' terms and conditions to fulfil the Statutory duty of KCC operating under the Environmental Protection Act 1990, to dispose of collected municipal waste.

The 2<sup>nd</sup> option is necessary due to the existing contracts being satisfactory and performing well and to allow KCC time to undertake full Procurements of both waste materials to ensure that the best outcomes are reached for Kent residents, whilst dealing with the Challenges and pressures due to the Covid-19 Pandemic.

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

None

**Susan Carey**

**15 July 2020**

Signed

Date