

DECISION RECORD ¹

Officer Key Decisions are subject to the Council's Call-In Procedure (Annex 9 of the Council's Constitution <https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about-hertfordshire/who-we-are-and-what-we-do/who-we-are-and-what-we-do.aspx>)

Subject: Second Procurement for the provision of short-term 'bridging' arrangements for the treatment and final disposal of local authority collected residual waste.

(Please use the same title as provided in the Forward Plan)

Staff Contact: Matt King

Executive Member: Terry Hone

Tel: 01992 556207

Portfolio: Community Safety & Waste Management

1. Decision

- 1.1 That the Assistant Director Transport, Waste and Environmental Management; has determined and the Chief Legal Officer agrees that Annex A to this Decision Record should not be disclosed to the public as it contains exempt information as defined by Section 100 of the Local Government Act 1972, Schedule 12A, paragraph 3, the public interest in maintaining the exemption outweighing the public interest in disclosing that information;
- 1.2 Subject to 1.1 above, awards the contract for the treatment and final disposal of local authority collected residual waste disposal of the procurement to the preferred supplier set out in Annex A and approves the signing of the contract.

2. Reasons for the decision

- 2.1 The procurement process was carried out for the provision of waste treatment/disposal services to assist the Council in carrying out its statutory function as a Waste Disposal Authority.
- 2.2 The County Council has a number of contracts in place for the treatment and disposal of residual waste. The existing arrangements, which have already been extended as per the provisions in the contract, expire in 2020 and 2021.
- 2.3 Contracts were awarded in February 2019 for the treatment and final disposal of 225,000 tonnes of local authority collected residual waste leaving a shortfall in the capacity secured. This Decision Record relates to the procurement of arrangements to address the shortfall in secured capacity.
- 2.4 The market was approached early to secure capacity; the procurement process was carried out with final tenders being submitted in December 2019. Six (6) bids were submitted from six (6) different suppliers.

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2.5 All bids passed the mandatory requirements, economic and financial standing tests and the technical and professional ability tests.

3. **Alternative options considered and rejected** ²

3.1 The County Council is a Waste Disposal Authority responsible for arranging for the disposal of waste collected by Hertfordshire Waste Collection Authorities under their duties and powers defined in the Environmental Protection Act 1990 together with waste collected at the network of household waste recycling centres. Procurement of residual waste contracts is therefore necessary for the County Council to perform its statutory function as Waste Disposal Authority.

4. **Consultation**

(a) Comments of Executive Member ^{3 4}

I am content to proceed with the awarding of a contract for treatment and final disposal of residual local authority collected waste.

(b) Comments of other consultees ⁵

There were none.

5. **Following consultation with, and the concurrence of the Executive Member, I am proceeding with the proposed decision.**

Signed:

Title: Date:

6. Copies of agreed document to:

- All consultees
- Chairman, and Vice-Chairmen of the Overview and Scrutiny Committee
- hard & electronic copy (for public inspection both at County Hall and on Hertsdirect) Democratic Services Manager - Room 213 County Hall.

¹ for guidance see Chief Legal Officer's note "Taking Decisions"

² details of any alternative options considered and rejected by the officer at the time the decision was made

³ record any conflict of interest declared by any Executive Member consulted. If an Executive Member declares a conflict of interest DO NOT PROCEED without seeking advice from the Chief Legal Officer

⁴ If the matter has general significance for the Council and/or is, or is likely to be, controversial, then the officer shall consult the appropriate Executive Member before proceeding. In some cases it will be necessary to consult more than one Executive Member, and in some cases the Leader of the Council will need to be consulted

⁵ If the matter has local significance, but no general significance for the Council and no controversial aspects, the officer shall consult or inform the local member in writing (or by e mail) and proceed. It is essential that all officers responsible for delivering services ensure that local members are kept well briefed on issues affecting their areas.