

Public Document Pack

Executive Member Decisions

Friday, 17th November, 2023
10.00 am

AGENDA

1. **EMD - Contract for the treatment of Green garden waste**
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Date Published: Friday 17th November 2023
Denise Park, Chief Executive

Agenda Item 1

EXECUTIVE MEMBER DECISION



BLACKBURN
with
DARWEN
BOROUGH COUNCIL

REPORT OF:	Executive Member for Environment & Operations
LEAD OFFICERS:	Strategic Director of Environment & Operations
DATE:	15 November 2023

PORTFOLIO/S AFFECTED:	Departments
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WARD/S AFFECTED:	(All Wards);
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SUBJECT: Contract for the treatment of green garden waste 2024-2029
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1. EXECUTIVE SUMMARY

The Council has a statutory obligation to provide disposal facilities for collected municipal solid waste. The existing contract for the treatment of 'green' (i.e biodegradable) garden waste expires on 31st March 2024, and requires re tendering to appoint a contractor for the period 2024-2029 (with option to extend for up to 2 years).

2. RECOMMENDATIONS

That the Executive Member :-

Approve the procurement strategy for the continued provision of the green garden waste treatment/processing contract.

3. BACKGROUND

The requirement for the provision of disposal services for municipal solid waste (MSW) is a statutory duty on the local authority, acting in its capacity as a Waste Disposal Authority (WDA).

There are considerable environmental, financial and social benefits from recycling/composting green garden waste materials, over disposal. The composting treatment costs of green garden waste per tonne, are considerably lower (currently approximately 1/7th) than that for disposal by either waste to energy or landfill.

The government currently has plans in place to compel all UK Councils to provide a separate, weekly, food waste collection from 2025/2026, where they do not currently do so. The Council has considered the commingled collection of food waste and garden waste from this 2026 but has concluded that this would not be best practice, could not be offered to all households and since the costs of food waste treatment exceed those of green waste composting, would not provide best value for money.

The contract - for 5 years with an option to extend for a further 2 years - , would cover all aspects of the treatment/processing of green garden waste throughout the year (including the 3 months of each year when the Council does not provide a brown bin kerbside collection since garden waste is still generated at the household waste recycling centres and other adhoc sources during November to February).

Bids for the contract will be evaluated against the following criteria :-

- * Price - 50%
- * Quality - 35%
- * Social value - 15%

The impact of the new contract for residents

The contract is not a frontline service but supports the delivery of front line services. Residents will see no difference to frontline green waste collection services already provided, since the contract is written to support the front line services. .

Contract performance management

The contract would require the Contractor to provide the Council on a monthly basis a wide variety of information including tonnage received and processed. This is in recognition of the Council's duty of care and strategic objectives in other areas. Other information required include health and safety compliance, staff training and development, site licence compliance etc.

4. KEY ISSUES & RISKS

The following risks and issues have been considered :-

- * Bring the processing in house – this was rejected as the Council does not have the resources to provide this service in terms of space, equipment, licences, qualified and experienced staff and access to end markets
- * Cease the separate collection of green garden waste via the brown bin and HWRCs – this would result in cost increases for disposal and reduced quantity of material sent for recycling , since the tonnage would need to be disposed of as mixed waste through the disposal contract, as well as increases in carbon emissions
- * Extend the existing contract – the existing contract does not allow for this as it has already been extended by 2 years
- * The cost of the disposal is a risk, but having evaluated the market, the priced returns are not expected to be beyond that currently being paid.

There is also the issue of the Government strategy for waste and recycling that has been delayed for implementation. This delay does not help the overall management of waste and recycling. However, green waste is not expected to be affected aside from a potential landfill ban.

The Council's separately collected green waste does not go to landfill, it is sent for compost reprocessing (as per the existing contract that is due to expire), avoiding landfill. Any green waste placed by residents in burgundy residual waste bins is taken to an energy from waste facility for end destination. Hence, the Council will still be requiring a green waste outlet even with potential changes to recycling and waste, so this new contract is not expected to be compromised by any future legislative changes and even if it were to be, there are "break" clauses in the contract to protect the Council,

5. POLICY IMPLICATIONS

None.

6. FINANCIAL IMPLICATIONS

The cost of the service will be managed from within existing budgets

7. LEGAL IMPLICATIONS

No implications, the procurement process will be carried out in accordance with the Council's Contract and Procurement Procedure rules and the Public Procurement Regulations.

8. RESOURCE IMPLICATIONS

Officers from within the Environment Department and the Contracts and Procurement Team will write the tender documents and carry out the evaluation and award process. The existing resources within the council will administer the contract.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

This report has been produced following discussions with existing service and potential future providers.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

VERSION: 1

CONTACT OFFICER: Stuart Hammond

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DATE:	17/10/2023
BACKGROUND PAPER:	None