

## RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

### \*PART 1 – PUBLIC DOCUMENT

Any interest to declare/ or conflict and any dispensation granted [*if applicable*]

**SERVICE DIRECTORATE:** PLACE

#### **1. DECISION TAKEN**

To join in a consortium contract with Welwyn Hatfield as lead authority for the sale of recovered paper.

#### **2. DECISION TAKER**

Sarah Kingsley – Director of Place

#### **3. DATE DECISION TAKEN:**

30 January 2024

#### **4. REASON FOR DECISION**

NHC has been in partnership with East Herts Council, Broxbourne Borough Council, Stevenage Borough Council and Welwyn Hatfield Borough Council since 2012 for the procurement of a consortium contract. This is an extension of the partnership arrangement for the purpose of a new contract award.

#### **5. ALTERNATIVE OPTIONS CONSIDERED**

Separate procurement on our own was considered however the market has been receptive to this joint procurement previously and it has demonstrated value for money by achieving higher than the market midpoint values. This option was therefore discounted.

#### **6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)**

The Executive Member for Waste and Recycling was informed and consequently consulted prior to the procurement beginning at meetings of the Hertfordshire Waste Partnership Members Group.

How the council undertakes this procurement has no impact on the residents of North Hertfordshire.

#### **7. FORWARD PLAN**

Use one of the following paragraphs

7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

#### **8. BACKGROUND/ RELEVANT CONSIDERATIONS**

- 8.1 This partnership has existed since 2012 and have successfully procured a number of contracts for the sale of recovered paper since then. This procurement therefore represents the next iteration of this partnership.
- 8.2 A tendering exercise has been completed by Welwyn Hatfield's procurement team on behalf of those councils who wish to participate in this consortium contract.
- 8.3 The evaluation of the quality and price of this tender is complete and the impact of the tendered price does not in itself have an impact on the budget of the council.
- 8.4 As has been the case previously, a service level agreement (SLA) will be signed between NHC and Welwyn Hatfield Borough Council to outline the responsibilities of each party in relation to the contract, specifically contract management.

## **9. LEGAL IMPLICATIONS**

- 9.1. Under 14.6.4 the General Authorisations for officers under the Scheme of Delegation in the Councils Constitution, Service Directors have the following function, power and duty:- Entering into contracts to carry out works and/or for the supply of goods and services within approved budgets.

## **10. FINANCIAL IMPLICATIONS**

- 10.1. The contract price offered by the preferred bidder does not in itself impact on the Councils budget.
- 10.2. The actual price received through this contract will vary based on tonnages delivered by the council and market indices which are impacted by global markets. This is the same basis that the current contract operates under.
- 10.3. This is an income generating contract with no costs attached, save where the council is at fault. The income generated by the contract can be less than budgets due to changes in paper volumes collected and market indices.

## **11. RISK IMPLICATIONS**

- 11.1 This contract is subject to global markets and therefore income is variable. It is therefore necessary to monitor any impacts on budgets as a part of the day to day management of the service.

## **12. EQUALITIES IMPLICATIONS**

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 There are no equalities implications.

## **13. SOCIAL VALUE IMPLICATIONS**

- 13.1 The subject matter of the contract confers Social Value as it confers wider societal and environmental benefits through the principles of circular economy. The raw material of newspapers, wood fibre, is a renewable, natural and sustainable resource. Paper packaging will be collected and recycled, ensuring these valuable fibres are reprocessed.

13.2 Social value was not evaluated by Welwyn Hatfield as part of the tender who will be seeking a waiver under their contract procedure rules for this.

**14. ENVIRONMENTAL IMPLICATIONS**

14.1. *An Environmental Impact Assessment has been undertaken and is provided in Appendix 1. The impacts of this contract have been considered and there are no relevant adaptations or mitigation measure that could be applied.*

**15. HUMAN RESOURCE IMPLICATIONS**

15.1 There are no impacts on staff resources.

**16. BACKGROUND PAPERS**

16.1 None

**17. APPENDICES**

17.1 Appendix 1 – Environmental Impact Assessment

**NOTIFICATION DATE      02<sup>nd</sup> February 2024**

*Date sent to all Members, put on website and appears in MIS – Committee, Member & Scrutiny Services can confirm this with you,*

**Signature of Executive Member Consulted.....**

Cllr Amy Allen 

Date 31/01/24

**Signature of Decision Taker**

...  .....

**Please Note: that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.**

**Call-in does not apply to NON-EXECUTIVE DECISIONS**