

Delegated Decision Notice (DDN)

This form is the written record of a key, significant operational or administrative decision taken by an officer.

Decision type	<input checked="" type="checkbox"/> Key Decision	<input type="checkbox"/> Significant Operational Decision	<input type="checkbox"/> Administrative Decision
Approximate value	<input type="checkbox"/> Below £500,000 <input type="checkbox"/> £500,000 to £1,000,000 <input checked="" type="checkbox"/> over £1,000,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000 <input type="checkbox"/> £100,000 to £500,000 <input type="checkbox"/> Over £500,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000
Director¹	The Director of Communities Housing and Environment		
Contact person:	Ed Walton	Telephone number: 0113 378 6353	
Subject²:	Request to directly award the Mixed Dry Recyclate contract under Regulation 32 (2) (B) (ii) of the Public Contracts Regulations 2015 to HW Martin Waste Ltd.		
Decision details³:	<p>What decision has been taken? (Set out all necessary decisions to be taken by the decision taker including decisions in relation to exempt information, exemption from call-in etc.)</p> <p>a) The Chief Officer for Environmental Services approved the utilisation of Regulation 32 (2)(b)(ii) of the Public Contracts Regulations 2015 in order to award a contract directly HW Martin Waste Ltd to treat the co-mingled recyclate including glass collected through the green bin kerbside collections for a period of 2 + 2 Years. This would see the ultimate expiry of the contract being 2028.</p> <p>b) The decision is exempt from call-in due to the reasons outlined below. The decision has been on list of forthcoming decisions published 29th February 2024.</p> <p>c) In order to generate and access immediate savings as part of the new contract and to ensure mobilisation period of 5 months required by HW Martin to be able to accept co-mingled glass collections by summer 2024. Due to the short timescales required to implement this decision, there is a need to follow the special urgency procedure relating to publicity in connection with Key Decisions. In line with Part 2 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, and Part 4(b) 2.3.4 and 2.6.1 the relevant Scrutiny Board Chair has provided confirmation that</p>		

¹ Give title of Director with delegated responsibility for function to which decision relates.

² If the decision is key and has appeared on the list of forthcoming key decisions, the title of the decision should be the same as that used in the list


³ Simply refer to supporting report where used as these matters have been set out in detail.

	<p>consideration of this matter is urgent and cannot reasonably be deferred. The use of the special urgency provisions on this occasion will in accordance with Executive and Decision-Making Rule 2.6.2 feature in the annual report to the Corporate Governance & Audit Committee.</p>
	<p>A brief statement of the reasons for the decision (Include any significant financial, procurement, legal or equalities implications, having consulted with Finance, PACS, Legal, HR and Equality colleagues as appropriate)</p> <p>As a result of the requirements, savings and the necessary need to trial this service, it is proposed to award a contract to HW Martin Waste Ltd (' Martin')HW for a period of 2 + 2 years using Regulation 32 (2)(b) of the Public Contracts Regulations 2015 (PCR) to allow the service to conduct a trial to co-mingle glass at the kerbside and access immediate savings generated both financially, environmentally and in terms of carbon reduction. Utilising the trial and allowing the impacts of DRS and EPR to become more clearly defined by the government and industry to a point where the eventual re-procurement can be undertaken safely in the full knowledge of what is expected to be collected (as a result of DRS) and what funding will be in place (through EPR).</p> <p>Consultation undertaken with members, relevant scrutiny chair, PACS and legal.</p>
	<p>Brief details of any alternative options considered and rejected by the decision maker at the time of making the decision</p>
Affected wards:	ALL
Details of consultation undertaken⁴:	Executive Member
	Cllr Rafique
	Ward Councillors
	Chief Digital and Information Officer ⁵
	N/A
	Chief Asset Management and Regeneration Officer ⁶

⁴ Include details of any interest disclosed by an elected Member on consultation and the date of any relevant dispensation given.

⁵ See Officer Delegation Scheme (Executive Functions) CDIO must be consulted in relation to all matters relating to the Council's use of digital technology

⁶ See Officer Delegation Scheme (Executive Functions) CAMRO must be consulted in relation to all matters relating to the Council's land and buildings.


	N/A
	Others Cllr Golton
Implementation	Officer accountable, and proposed timescales for implementation John Woolmer – Chief Officer, Environmental Services. Immediately.
List of Forthcoming Key Decisions⁷	Date Added to List:- 29/02/24
	If Special Urgency or General Exception a brief statement of the reason why it is impracticable to delay the decision In order to generate and access immediate savings as part of the new contract and to ensure mobilisation period of 4 months required by HW Martin to be able to accept co-mingled glass collections by summer 2024.
	If Special Urgency Relevant Scrutiny Chair(s) approval Signature Date 22/03/2024 
Publication of report⁸	If not published for 5 clear working days prior to decision being taken the reason why not possible: In order to generate and access immediate savings as part of the new contract and to ensure mobilisation period of 4 months required by HW Martin to be able to accept co-mingled glass collections by summer 2024.
	If published late relevant Executive member's approval Signature Date
Call-in	Is the decision available ⁹ for call-in? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	If exempt from call-in , the reason why call-in would prejudice the interests of the council or the public: In order to generate and access immediate savings as part of the new contract and to ensure mobilisation period of 4 months required by HW Martin to be able to accept co-mingled glass collections by summer 2024.
Approval of Decision	Authorised decision maker ¹⁰ Chief Officer, Environmental Services.- John Woolmer

⁷ See Executive and Decision Making Procedure Rule 2.4 - 2.6. Complete this section for key decisions only

⁸ See Executive and Decision Making Procedure Rule 3.1. Complete this section for key decisions only

⁹ See Executive and Decision Making Procedure Rule 5.1. Significant operational decisions taken by officers are never available for call-in. Key decisions are always available for call-in unless they have been exempted from call-in under rule 5.1.3.

¹⁰ Give the post title and name of the officer with appropriate delegated authority to take the decision.

	Signature 	Date – 22/03/2023
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