

EAST AYRSHIRE COUNCIL

COMMUNITY SERVICES COMMITTEE – 10TH NOVEMBER 2004

WASTE DISPOSAL STRATEGY

Report by Executive Director of Neighbourhood Services

1. PURPOSE OF REPORT

- 1.1 To advise the Committee of progress in developing the Council's long-term Residual Waste Treatment and Disposal Strategy in the light of recent correspondence from the Scottish Executive.

2. BACKGROUND

- 2.1 At an earlier meeting of the Emergency Powers Committee on 20th January 2003, it was agreed that the procurement exercise for a new long-term Residual Waste Treatment and Disposal Contract be abandoned. Following a new procurement exercise, a short-term Contract was awarded to Barr Environmental Limited (to commence in May 2003). The first of two optional one year extensions was authorised in May 2004.
- 2.2 A small Group of officers has now began preparing the Contract specification etc and documentation for a new Residual Waste Transfer, Treatment and Disposal Contract.
- 2.3 On 22nd September, Waste Management and Planning Officers of the Three Ayrshire Councils received a letter from the Scottish Executive intimating the latter's intention to create an Ayrshire Strategy Review Group. The purpose of the Group will be to update the Scottish Executive and SEPA "on the progress of the Ayrshire Local Authorities Implementation Plan and to draw up an action plan for the future. The proposed Strategic review will include discussion on opportunities for partnership working and will explore further the potential for joint working between Local Authorities."

The letter goes on to say that "Local Authorities are expected to demonstrate in their bids (to the Strategic Waste Fund) that opportunities for joint working with other Local Authorities within their Group, as well as Local Authorities within Neighbouring Groups, have been fully explored". The letter also says that if "a Local Authority proposes to proceed without engaging in joint working, a Best Value appraisal should be provided to offer a full explanation and justification of the basis for this decision.

3. DISCUSSION

- 3.1 The general view of the Officers of the Ad Hoc Procurement Group (in the light of the Scottish Executive letter of 22nd September 2004) is that it may prove very difficult to submit a successful bid to the Strategic Waste Fund for a contract which is exclusively procured to deal with waste arising in East Ayrshire.
- 3.2 It is understood that neither North or South Ayrshire Council would be in a position to participate in any contract which East Ayrshire intends to award on or before May 2006.
- 3.3 In view of this, the Ad Hoc Procurement Group propose that while the contract specification etc documentation makes specific reference to residual waste arising in East Ayrshire, provision is made for participation by one or more other Local Authorities during the life of the contract.
- 3.4 The Officers of the Ad Hoc Procurement Group are of the view that if this approach was taken, the Waste Management and Planning Officers would be in a much stronger position to demonstrate to the Scottish Executive and SEPA that East Ayrshire Council had identified opportunities for partnership working and had identified potential for joint working.

4. FINANCIAL IMPLICATIONS

- 4.1 The financing of the new Contract can only be met following a successful bid to the Strategic Waste Fund. It is been made very clear that unless the Council has demonstrated full exploration of joint and partnership working, any bid for an exclusive contract for East Ayrshire Council will probably be unsuccessful.

5. LEGAL IMPLICATIONS

- 5.1 The principle of the Council awarding a contract which provides for participation of another Council has already been established in the award to Barr Environmental for Green Waste Composting Services.

6. POLICY IMPLICATIONS

- 6.1 The award of a new contract is consistent with the Council Plan in that it will improve the environment by increasing the amount of waste that is recycled and re-used.

7. CONCLUSIONS

- 7.1 An Ad Hoc Procurement Group of Officers is currently compiling tender documentation etc for the Council's residual waste treatment and disposal requirements.
- 7.2 Recent correspondence from the Scottish Executive indicates that future bids to the Strategic Waste Fund for Contracts of this nature will only be approved if the Council can demonstrate that it has fully explored the potential for joint working/partnership with other Local Authorities.

The existing remit to the Ad Hoc Procurement Group precludes such an approach.

- 7.3 It is the view of the officers of the ad-hoc Procurement Group that the tender documentation etc should make provision for participation by other Local Authorities (potentially the other two Ayrshire Authorities).

8. RECOMMENDATIONS

- 8.1 The Committee is invited to:-
- i) Agree that the tender documentation etc for the new long-term Residual Waste Treatment and Disposal Contract provide for the participation of other Local Authorities with appropriate Financial Benefits accruing to those participating;
 - ii) Note that the funding for any contract awarded can only be met as a result of a successful bid to the Strategic Waste Fund;
 - iii) Note that Waste Management and Planning Officers have been invited to a meeting to discuss the creation of an Ayrshire Strategic Review Group with a purpose of updating the Scottish Executive and SEPA on the progress of the Ayrshire Local Authority Implementations Plan and to draw up an action plan for the future; and
 - iv) Otherwise note the report.

William Stafford
Executive Director of Neighbourhood Services
WS/JFC/GW
20th October 2004

LIST OF BACKGROUND PAPERS

1. Letter from the Scottish Executive to Head of Protective Services and Principal Planning Officer dated 22nd September 2004

Anyone wishing to inspect the background papers should contact John Crawford, Head of Protective Services on 01563 576111.

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