

**Executive functions:**

**Record of decision**



**(a) Record of decision:**

<b>Name and title of officer making decision:</b>	Tim Whelan, Director of Service Delivery
<b>Service/division/department:</b>	Environment First / Service Delivery
<b>Date decision made:</b>	18 June 2020
<b>Subject matter :</b>	Disposal of garden waste
<b>Decision taken:</b>	<p>Following consultation with the Leader, a two year contract to KPS is to be awarded for the receipt and composting of LDC's collected garden waste.</p>

**(b) Reasons for decision:**

Biogen (formerly Tamar Organics) has been in receipt of Lewes DC's garden waste for composting since 2015.  
On 1<sup>st</sup> June 2020 Biogen gave LDC notice that the Beddingham composting site will cease operations from Wednesday 1<sup>st</sup> July.  
KPS is the alternative local commercial provider able to take the material at short notice and on favourable terms. ESCC as the Waste Disposal Authority has no objection to Lewes DC retaining garden waste and making its own disposal arrangement for the next two years.

**(c) Details of any alternative options considered and rejected when making decision:**

LDC is able to deliver garden waste into the Veolia facility at Woodlands but for operational and financial reasons there are advantages to retaining the material and claiming a modest recycling credit from ESCC.

**(d) Details of any consultations undertaken:**

1. Consultation with the Leader of the Council
2. Consultation with ESCC Waste Services

**(e) Source of authority to make decision:**

**LDC's Scheme of delegations**

- LDC Constitution Part 4: Contract Procedure Rule CPR 2.4.1.b. The Accountable Officer has power to waive any requirements within the CPRs in cases of urgency, after consultation with the Leader of the Council. Any necessary resulting action must be reported to the next meeting of the Cabinet. The estimated value of the contract is below the threshold that would require a competitive process governed by the Public Contracts Regulations 2015 but the CPRs would normally require four tenders to be sought through advertisement. The requirement for advertisement and formal tenders has been waived in this case.
- LDC Constitution Part 9: Scheme of Delegation to Officers: Director of Service Delivery (Open Spaces, Waste and Recycling) (e) to be responsible for the procurement and management of services relating to grounds maintenance, refuse collection and street cleaning.

**(f) Record of any conflict of interest declared by any Cabinet member who was consulted which relates to the decision (if none, state "none"):**

None

**(g) In respect of any declared conflict of interest recorded above, a note of the dispensation granted by the Monitoring Officer (if none, state "none").**

None

**Record of decision compiled by Jane Goodall on date 18 June 2020**