

Operational Decision Record

Publication Date 03 August 2023	Decision Reference Number 4998
Decision Title	
Additional funding for the demolition and the rebuild of the Eastcroft Waste Transfer Station	
Decision Value	
£109,000	
Revenue or Capital Spend?	
Revenue	
Department: Growth and City Development Residents Services	
Contact Officer (Name, job title, and contact details)	
Helen Wallace – Senior Project Manager Helen.wallace@nottinghamcity.gov.uk 07966 342443	
Decision Taken	
To approve additional revenue funding of £109,000 Future maintenance plan - £46,000 Waste Transfer Station - £63,000	
Reasons for Decision and Background Information	
<p>On 11th November 2022, a DDM (4766) was approved for £420,000.</p> <p>This revenue funding was to demolish and rebuild the existing Waste Transfer Station (WTS) at Eastcroft. The WTS is beyond life and is in danger of being close, due to Health and Safety issues.</p> <p>Regulation 12 of the Waste (England and Wales) regulations 2011 highlights that companies that import or produce, collect, transport or dispose of waste, or who operate as a dealers and brokers must take all reasonable measures to apply the Waste Hierarchy when the waste is transferred. Therefore by approving the</p>	

demolition and rebuild of this facility it would allow the Council to keep this location open, safely operate and allow separation of waste and process for recycling or recover that is an higher treatment standard within the Waste Hierarchy and a cost effective way of managing the Councils waste necessary to support key statutory services.

Following the approval in November 2022, the scope of works was finalised, and the project was formally costed. This has resulted in a funding shortfall of £109,000.

The Environmental Agency have confirmed the Council can still operate under the current permit (43417) as long as we rebuild like for like, replacing the same size walls and existing undercover bays only and building on the original footprint. Therefore, the scope cannot be reduced to accommodate the existing approval.

Other Options Considered and why these were rejected

Do nothing and continue to use this facility. To do nothing would significantly put the life at risk of employees operating on this site or cause life threatening.

The last 4 years the transfer station has treated 18/19 - 13,777tns19/20 - 10,700tns20/21 - 10,027tns21/22 - 8,200tnsEven on a low year 21/21, 1,586tns was separated to energy from waste (EFW) saving £0.121m 183tns of rubble saving £0.020m 301tns of metal saving £0.037m100tns of wood saving £0.010m

Reasons why this decision is classified as operational

Failure to undertake the demolition and rebuild would evidently lead to the closure of this facility due to the high-risk nature of operating in such dangerous conditions.

Additional Information

- **It is recommended that you seek and include finance advice where your decision has financial implications.**

You should also consider:

- obtaining and recording advice if necessary from legal, finance or other colleagues
- informing relevant ward councillors if a decision particularly affects their ward
- whether an EIA, DPIA, Carbon Impact assessment or consultation exercise is required for this decision
- for capital spend, confirmation that the decision has been through the appropriate capital approval processes
- referring to any related previous decisions
- risks of the decision and any mitigation of those risks
- if the decision is approving capital spend, please include confirmation that the Chief Finance Officer has agreed to it.

Finance Comments:

The purpose of the decision is to approve funding for mandatory work required for the rebuild of the waste transfer station, with some work not previously included in the calculation of the project.

The value of this decision is £109k, split between two service areas with £63k being funded from commercial waste. This is a one-off in year contribution, sourced from disposal savings on skips and additional income from commercial waste collections.

The risk associated with this is if these disposal savings and additional income from commercial waste collections are not realised in year as well as cost of the projected work to be higher than anticipated. This will need to be monitored by service area as if cost exceeds or income is not realised, service area would need to mitigate any further shortfalls.

Best value has been considered in that the option to not replace and continue using the facility would lead to closure of site due to health and safety risks, reaffirming the need for this project work to be carried out.

Advice provided by:

Sohaib Chaudry – Senior Commercial Business Partner (Resident Services) - 27.06.23

The balance of the funding - £46k – will be ring-fenced within the future maintenance plan, however it should be emphasised that this is a contribution to the project contingency sum and should therefore only be called upon if the contingency is required.

It is requested that the FMP budget holder is kept updated on the status of the contingency budget so that this sum may be released for other requirements if possible.

Advice provided by:

Sarah Baker – Senior Commercial Business Partner (Corporate Landlord) - 06.07.23

Crime and Disorder Implications

This consideration to demolish and rebuild the existing waste transfer station does not have any direct implications in relations to section 17 of the Crime and Disorder Act. This facility supports and provides treatment of waste collected by colleagues, collecting fly tips, litter, emptying litterbins and sweep the highways. This decision indirectly supports work to prevent neighbourhoods deteriorating and provides a local disposal point within the City.

Equality

EIA not required. Reasons: This decision to approve the demolition and rebuild of the existing waste transfer station at Eastcroft Depot supports the effective treatment of waste collected by many departments. As such, this project will have neither a positive nor a negative impact for any person or persons with protected characteristics and does not relate to a new or changing policy or service.

Legal (Provide in DDM 4766 on 11th Nov 2022)

It is proposed that the works to achieve the demolition, design and rebuild of the Eastcroft Depot Waste Transfer Station be undertaken /awarded to a number of contractors through appropriate SCAPE (Direct Award) Frameworks for the selection of a supplier for demolition/ pre-construction, and rebuild/ construction stages and through the Scape National Consultancy Framework for the selection of Perfect Circle JV Ltd for Construction and Design Management. Beat Value is achieved through the respective procurement process, as the construction partners on the Frameworks have "evidenced that they are the very best that industry has to offer. They are collaborative, dynamic, innovative, highly capable

and entirely committed to achieving value for money and the very best results for the public sector and the communities they support. They are supported by an extensive local supply chain, so the money for the project will be utilised in the local economy. The Frameworks have just been refreshed ensuring continued compliance with the most recent statutory and regulatory changes for example on data protection, privacy legislation, anti-modern slavery and human trafficking laws" SCAPE. This proposal raises no significant legal issues but care must be taken to ensure compliance with the SCAPE Framework terms. The contracts to be entered into between the contractors and the Council will be based on the SCAPE framework template call off contracts, which are from the NEC suite of construction contracts and are fully compliant with the Public Contract Regulations 2015 - this approach and form of contract is supported by Legal Services. The procurement of any other necessary contracts for the delivery of the demolition and re-build must be carried out in accordance with the Council's Contract Procedure Rules and, where appropriate, Public Contract Regulations 2015. More widely, Planning officer have advised that the proposed development would benefit from Permitted Development Rights and, therefore subject to remaining within any prescribed parameters of the permitted development right, no further planning consents are needed. Richard Bines, Solicitor, Contract and Commercial Team - Legal Services Advice provided by Richard Bines (Solicitor) on 15/09/2022.

Procurement (Provided in DDM 4766 on 11th November 2022)

This form seeks approval to appoint Perfect Circle JV Ltd for CDM services using the Scape National Consultancy Framework Lot 1: Built Environment; and Lindum Group Ltd to carry out construction works using Scape's Regional Consultancy Framework Lot 4: North East. Use of third-party frameworks is permitted under Article 18.43 of the Constitution and is compliant with the Public Contracts Regulations 2015; as long as the contracts are concluded in accordance with the terms laid down by the respective frameworks then there are no Procurement issues with the decisions being sought. Advice provided by Jonathan Whitmarsh (Lead Procurement Officer) on 08/11/2022.

Property (Provided in DDM 4766 on 11th November)

Eastcroft depot forms part of the Bridge investment portfolio. The project does not raise any issues in relation to the lease. The project relates to a key part of the depot and should significantly improve operational safety. Property supports the project. Advice provided by Simon Yates (Interim Strategic Asset Manager) on 31 October 2022. Advice provided by Simon Yates (Interim Strategic Asset Manager) on 31/10/2022.

Carbon Impact Assessment

Over the last 4 years the transfer station has treated:

- 18/19 - 13,777tns
- 19/20 - 10,700tns
- 20/21 - 10,027tns
- 21/22 - 8,200tns

In 21/22, 1,586tns was separated to energy from waste (EFW)

Decision Maker (Name and Job Title)

Ita O'Donovan – Interim Corporate Director Communities, Environment & Resident Services



Ita O'Donovan

11/7/2023

Sajeeda Rose – Corporate Director Growth and City Development
As per email dated 13th July 2023

Scheme of Delegation Reference Number

1

Date Decision Taken

13 July 2023