

Notice of Non-Key Executive Decision

Subject Heading:	Permission to Procure internal and external food waste caddies, liners and distribution services
Decision Maker:	Imran Kazalbash
Cabinet Member:	Councillor Barry Mugglestone
ELT Lead:	Neil Stubbings
Report Author and contact details:	Rebecca Wild-Waste Project Manager for Environment rebecca.wild@havering.gov.uk 01708433173
Policy context:	The introduction of a borough-wide separate food waste collection service will support the following goal within Havering's Climate Change Action Plan 2024-2027: "To drive reductions in waste across the borough and accelerate a step change in rates of recycling."
Financial summary:	The anticipated cost to purchase internal and external food waste caddies, liners and distribution services is estimated to fall within a range of approximately £0.785m to £1.100m, based on the lowest and highest prices available on the YPO framework (see Appendix B). The final contract value will be confirmed following the tender process and will be awarded based on the most economically advantageous tender, balancing cost and quality. The DEFRA (Department for Environment, Food and Rural Affairs) grant allocation for this initiative is £0.952m. Should the final procurement value exceed this amount, Havering will utilise funding from the £4.650m capital programme, as agreed by

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	Cabinet on 22nd January 2025, to cover any shortfall.
Relevant Overview & Scrutiny Sub Committee:	Places Overview and Scrutiny Sub-Committee
Is this decision exempt from being called-in?	The decision will be exempt from call in as it is a Non key Decision

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The subject matter of this report deals with the following Council Objectives

People - Supporting our residents to stay safe and well

Place - A great place to live, work and enjoy X

Resources - Enabling a resident-focused and resilient Council

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION
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DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

Under the Environment Act 2021 all local authorities must implement weekly food waste collections for all households by 1st April 2026. The Director of Environment has delegated authority to make all decisions regarding the implementation of this new service within the borough.

This decision seeks approval to proceed with three call-offs from the YPO Refuse and Recycling Products framework (1185) for the purchase of caddies, liners and distribution services. Distribution will be a direct award due only one supplier being featured on the framework. The YPO framework which has recently been launched, includes all suppliers previously engaged by LBH and was selected following a procurement options analysis (see Appendix A) The framework has been procured in line with the latest WRAP (Waste and Resources Action Programme) specification and legislation. The YPO Framework (1185) operates over a four-year term. LBH intends to establish a corresponding four-year contract under this framework to facilitate the purchase of caddies and liners on an ongoing basis, as required. This arrangement will not impose any obligation on LBH to make purchases beyond the initial procurement. WRAP is supporting DEFRA in delivering this initiative.

There is no cost to the Council for using the YPO framework; however, suppliers are subject to a 1% levy on contract spend.

The Director of Environment has delegated authority to approve this decision, which was agreed by Cabinet 22nd January 2025

AUTHORITY UNDER WHICH DECISION IS MADE

Cabinet 22nd January 2025:

- Cabinet agreed to implement the weekly household waste collection from all domestic properties in Havering from October 2025.
- Cabinet delegated authority to the Director of Environment to take all necessary steps to complete the contract variation with FCC for the delivery of the food waste collection service.

Part 3, Responsibility for Functions, Part 3,
3.3 Powers of Members of the Senior Leadership Team

Contract powers

(a) To approve commencement of a tendering process for all contracts above a total contract value £500,000.

(b) To award all contracts with a total contract value of between £500,000 and £5,000,000 other than contracts covered by Contract Procedure Rule 16.3.

General powers

(a) To take any steps necessary for proper management and administration of allocated portfolios.

STATEMENT OF THE REASONS FOR THE DECISION

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The provision of weekly food waste collections is a statutory requirement, and Havering has an obligation to deliver this service.

OTHER OPTIONS CONSIDERED AND REJECTED

Joint Procurement: Havering officers have been in touch with their counterparts at the other ELWA Constituent Councils to discuss timescales and opportunities for joint procurement. Timescales for purchasing of vehicles may vary, due to demand from other Local Authorities on the market, and may impact on the service commencement date. Therefore, this option was considered and rejected

Do nothing: This would place Havering in direct contravention of the Environment Act 2021. Ring-fenced funding has been provided by DEFRA for the purpose of purchasing capital assets to enable the rollout of this service. The funding would need to be returned, and Havering would be in breach of the Act.

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PRE-DECISION CONSULTATION

Not applicable

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Jacki Ager

Designation: Waste and External Contracts Manager

Signature:

Date:

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council has a general power of competence under section 1 of the Localism Act 2011 to do anything an individual may generally do subject to any statutory limitations. The arrangements now sought are in accordance with these powers.

Section 45 of the Environmental Protection Act 1990 sets out the duty placed upon a Waste Collection Authority, to arrange for the collection of household waste in its area and section 45A of the Environmental Protection Act 1990 (as amended by Section 57 of the Environment Act 2021) requires, with effect from 1 April 2026, all recyclable household waste to be collected separately from other household waste, for recycling or composting at least once a week.

Capital funding has been partially provided by way of a Section 31 grant, under the New Burdens doctrine. A separate Executive Decision report notes acceptance of this grant.

The Framework terms allow the London Borough of Havering to carry out a tender exercise in accordance with the rules of the Framework Agreement. Subject to the above, Legal can confirm that the procurement can be carried out.

FINANCIAL IMPLICATIONS AND RISKS

This report seeks approval to procure internal and external food waste caddies, liners, and associated distribution services via the YPO Refuse and Recycling Products Framework (1185) to enable the statutory rollout of weekly food waste collections by April 2026.

The anticipated cost to purchase internal and external food waste caddies, liners and distribution services is estimated to fall within a range of approximately £0.785m to £1.100m as detailed in Appendix B. This covers the cost of caddies, liners, and delivery to approximately 109,000 households.

Estimated Procurement Costs

Product Type	Lowest Anticipated Cost (£)	Highest Anticipated Cost (£)
5-Litre Caddies	£0.131	£0.178
23-Litre caddies	£0.301	£0.416
Liners	£0.056	£0.131
Distribution	£0.190	£0.190
Total	£0.678	£0.916

Estimated Ongoing Procurement Costs

Product Type	Lowest Anticipated Cost (£)	Highest Anticipated Cost (£)
5-Litre Caddies	£0.029	£0.040
23-Litre caddies	£0.068	£0.094
Liners	£0.002	£0.006

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Total	£0.110	£0.142

The final contract value will be determined through a competitive tender process based on the most economically advantageous tender, balancing cost and quality at the agreed ratio.

While DEFRA funding has been allocated for capital expenditure, there is a potential funding gap that will be met from the Council's approved £4.65m capital programme allocation.

Expected costs, including contingency, are not expected to exceed budget. Havering is waiting revenue allocation from DEFRA through new burdens funding and also has internal revenue budgets allocated. The YPO framework levy (1%) applies to suppliers and does not impact the Council's costs.

A Capital and Revenue code has been created to ensure oversight of spend related to this new service.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

Havering contracts out its household waste and recycling collection service to FCC, who will be responsible for the provision of the separate food waste collection service throughout the life of this contract (initial term expires 2031) with costs provided for anticipated service changes at the time of tender. There are temporary implications on Havering staff resourcing as follows:

- Project Manager: a 2-year fixed term post, ending June 2026 has been filled, to provide management of this large-scale project.
- Project oversight: Programme Board and Project Working Group comprising of existing staff within relevant service areas, including Environment, Finance, Procurement and Transformation is in place
- Project Implementation: Existing staff are currently being utilised on the project, from with the Waste Team and Business Support Teams. Staff resourcing continues to be reviewed and discussed at Programme level.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

- (i) The need to eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

The Council is committed to all the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to

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improving the quality of life and wellbeing for all Havering residents in respect of socioeconomics and health determinants.

Health and wellbeing impacts have been considered as part of the Equalities and Health Impact Assessment (Appendix B), utilising Havering's Health and Wellbeing tool, and will continue to be reviewed accordingly throughout the life of the project, and service provision.

There are no significant health and wellbeing implications arising from the implementation of home food waste collection.

Reduced food spillage from roadside black bag refuse may offer health and wellbeing benefit by reducing risk of associated pedestrian slips or trips while improving street scene.

Alongside new food waste collections, complementary efforts to support households to improve shopping habits and reduce food waste offers a route to improve the financial wellbeing of residents.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

The Environment Act 2021 has made separate food waste collections by law to introduce food waste collections for all households in the borough by 1st April 2026. The compulsory introduction of a separate food waste collections is a proven way to reduce overall household waste. With residents recognising the amount of food waste they produce, many will look to reduce this in a bid to be less wasteful, either for financial, environmental, or ethical reasons

BACKGROUND PAPERS

None

APPENDICES

Appendix A	Options Analysis: Route to Procurement
Appendix B	Anticipated Costs
Appendix C	EHIA

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Proposal NOT agreed because

Details of decision maker

Signed



Name:

Imran Kazalbash

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date:

Lodging this notice

The signed decision notice must be delivered to Committee Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

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Signed _____