
CIVIC AMENITY SITE IMPROVEMENT

**Responsible Cabinet Member(s) – Councillor Stephen Harker, Consumer and
Environmental Services Portfolio**
Responsible Director(s) - John Buxton, Director of Development and Environment

Purpose of Report

1. To seek approval from Council to waive Contracts Procedure Rules to enable the Council's existing waste disposal contractor to be appointed to design, manage and deliver the project to improve the Civic Amenity Site.

Background

2. At its meeting held on 30 September 2004 Council noted Cabinet's urgent decision on the Department of Environment, Food and Rural Affairs (DEFRA) award for improvements to Drinkfield Civic Amenity Site. Members will recall that the budget for this project, provided by DEFRA is £730,000.
3. Essentially the improvements involve enlarging the site and improving its layout to provide for the separation of materials delivered to facilitate subsequent recycling. Engineering works will have to be carried out to provide the new roadways and associated operational areas, new services will be installed as will new perimeter fencing and landscaping and recycling containers will be procured.
4. Decisions now need to be taken as to how to design, manage and deliver the project.
5. Three broad options are available; firstly for the Council to design the necessary specifications and invite tenders for the management and works under the Council's Contract Procedure Rules. The second option is to waive the Contract Procedure Rules and appoint Premier Waste Management Ltd to design and manage the project. The Council would then secure the necessary contractors and oversee the works. The third option is to waive the Contract Procedure Rules and appoint Premier Waste Management Ltd to design, manage and deliver the project.
6. There are several advantages in taking the third option. Firstly Premier occupy the site and the site will be open to the public whilst the majority of the works are ongoing. It is therefore essential that there is a close and smooth working relationship between the various contractors on site and that works progress in a timely manner. As the occupying contractor Premier are best placed to achieve this. Secondly Premier have already made similar improvements to ten or more sites in County Durham. They can therefore more easily and quickly draw up specifications for the project. Thirdly, given Premier's recent experience in County Durham they are well placed to identify appropriate contractors and demonstrate value for money.

7. Officers would recommend the third option given Premier's recent proven track record within County Durham to develop similar sites on time, within budget, and to DEFRA's approval. Premier would operate to a detailed written agreement, which would require their effective management of the project including timeliness of works, completion within budget, safety issues, delivering to specification, and demonstration of probity in selection and appointment of sub contractors. The completion of this project is key to the Council meeting its Landfill Allowance Trading Scheme targets which is essential if financial penalties are to be avoided.

Outcome of Consultation

8. Consultation with Premier Waste Management Ltd has confirmed their willingness and ability to design, manage and deliver the project. DEFRA have also been consulted and have agreed to the proposals contained within the report.

Legal Implications

9. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

10. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

Council Policy Framework

11. The issues contained within this report are required to be considered by Council.

Conclusion

12. This report proposes a course of action to ensure the timely and efficient delivery of the Civic Amenity Site Improvement Project. To enable this it is proposed that the Council agree to waive Contract Procedure Rules.

Recommendation

13. Council are requested to waive the appropriate Contract Procedure Rules to permit the Civic Amenity Site improvement project to be delivered in accordance with option three as detailed in the report.

Reasons

14. The recommendation is supported to ensure the timely completion of the project within budget.

John Buxton
Director of Development and Environment

Background Papers

Darlington Borough Council Contract Procedure Rules

Bill Westland : Extension 388577