



Decision for Cabinet Member for Public Realm & Enforcement

Report from the Corporate Director, Neighbourhoods and Regeneration

AUTHORITY TO DELEGATE AUTHORITY TO WEST LONDON WASTE AUTHORITY TO LEAD ON THE PROCUREMENT FOR THE BULKY WASTE MATERIAL COLLECTION SERVICES

Wards Affected:	All
Key or Non-Key Decision:	Non-Key Decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
List of Appendices:	N/A
Background Papers:	N/A
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Rashmi Agarwal Head of Service Development & Contracts Email: rashmi.agarwal@brent.gov.uk

1.0 Executive Summary

1.1 This report concerns the procurement of household bulky waste collections. In April 2023, Brent entered into an arrangement for Bulky Waste Services with the West London Waste Authority (WLWA), using the WLWA's Dynamic Purchase System Framework. An assessment at the time concluded that using this commissioning route will provide a better and quicker collection service for users and the environment.

1.2 This report seeks approval to enter into a new procurement process led by West London Waste Authority to tender for a new Bulky Waste Material Collection Services Contract.

2.0 Recommendation(s)

That the Cabinet Member for Public Realm & Enforcement having consulted with the Leader:

- 2.1. Exercises delegated powers to grant an exemption from Contract Standing Orders to tender for Medium Value Contracts in respect of a contract for Bulky Waste Material Collection Services.
- 2.2. Agrees to join the West London Waste Authority led procurement for a call-off contract for Bulky Waste Material Collection Services for an initial term of three (3) years with the option to extend for a further one (1) year, to be procured using West London Waste Authority internal governance processes and its dynamic purchasing system.
- 2.3. Notes that following the identification of preferred bidders under the West London Waste Authority dynamic purchasing system detailed in 2.2 above, Officers will seek approval from the Corporate Director of Neighborhoods and Regeneration to authorise the West London Waste Authority to award a contract for Bulky Waste Material Collection Services.
- 2.4. Notes that a Service Level Agreement will be entered into with the West London Waste Authority to cover the respective responsibilities of parties. Following the identification of preferred bidders under the West London Waste Authority dynamic purchasing system detailed in 2.2 above, Officers will seek approval from the Corporate Director of Neighborhoods and Regeneration to enter into the Service Level Agreement.

3.0 Detail

3.1 Contribution to Borough Plan Priorities & Strategic Context

- 3.1.1 Brent's Borough Plan sets out how we can achieve one of our strategic priorities "A cleaner, Greener Future". The objective being to future proof the Borough to bring about positive changes to keep the environment clean and develop our services to residents. This decision has a direct link with the Borough's aim to reduce fly tipping and careful disposal of bulky household waste. The decision contributes to meeting desired outcome 1, offering high quality responsive universal services to all residents, ensuring we reduce negative impacts on the environment while delivering high standards and meeting our Customer Promise - for example, clean streets, waste collection, skills, parks and libraries. Provision of Bulky Waste service allows for more recycling and promoting reuse of items.
- 3.1.2 One of the desired outcomes of our Climate & Ecological Emergency Strategy is to tackle climate change by reducing consumption, resources, and waste. A key factor in helping to achieve this outcome is to reduce carbon emissions from the disposal of recyclable packaging.

3.2 Background

- 3.2.1 Household Bulky Waste Collections was part of the Public Realm Contract which came to an end in March 2023. This service was included as a provisional item in the specification for the Integrated Street Cleansing, Waste Collections and Winter Maintenance Services Contract (the 'Integrated Contract'), in 2022 to give the council flexibility to explore alternative options for service provision.
- 3.2.2 During the procurement process for the new Integrated Contract in 2022, officers established that better value would be achieved for the collection and disposal of household bulky waste by contracting with the WLWA and using the WLWA's Dynamic Purchase System Framework. An assessment concluded that using this commissioning route would provide a better service for users and the environment.
- 3.2.3 In April 2023, the Council entered an arrangement with WLWA, using the WLWA's Dynamic Purchase System. The new commissioning arrangement is based on a variable rather than a fixed cost basis, which provides based on current volumes have provided better value to the Council. Another benefit was that more of the material collected is being sent for reuse and recycling, due to the improved service provided through the contract.
- 3.2.4 This arrangement has proved beneficial for Brent with higher usage over the last two years and an estimated income achievement of £150k over that time. The current WLWA contract expires in May 2026, and they are reprocurring a new contract for the West London Authorities. Brent would like to participate in the new arrangement and continue to provide a seamless service to our residents.
- 3.2.5 Some of the general benefits with West London Waste Authority led contracts are:
- Scalable service capable of handling material (bulky) collections across the WLWA area that covers 6 Boroughs – Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames.
 - Management of an online booking service portal with access primarily via (www.westlondonwaste.gov.uk/bulky-waste) and Borough's own websites.
 - Dedicated customer service support inc. dedicated email address & contact number.
 - Residential property collections.
 - Digital platform capable of handling payments, receipts, refunds, cancellations & discounted or free collections and customer service-related requirements where applicable.
 - Adherence to a prescribed list of material or bulky items (periodically reviewed).
 - 7-day a week collection service.

4.0 Stakeholder and ward member consultation and engagement

4.1 A market engagement exercise with stakeholders was undertaken by West London Waste Authority earlier this year to test whether there are suppliers who can deliver the required collection services for multiple materials across its constituent boroughs. Apart from that West London Waste has consulted participating boroughs to input in the procurement exercise and Brent will be part of the tender evaluation panel. No other consultation with members or residents has been carried out.

5.0 Financial Considerations

5.1 The Bulky Waste collection contract is self-funded through a collection charge paid by residents directly to the collection service provider. The cost of providing a collection is kept by the provider, with any surplus generated is passed over to Brent by WLWA.

5.2 The collection fee charged to residents is set by Brent and is currently set at £55 per collection. This was increased from £35 in April 2025 following a review of fees and charges which incorporated a benchmarking exercise. The proposed fee charged for 2026/27 is currently under review as part of the Council's Fees & Charges process.

5.3 For the financial year of 2025/26 it is expected that the current contractual arrangement will generate an income of £100k, which contributes toward the Departments budget.

5.4 Initial market engagement suggests that the collection costs proposed by suppliers are higher than what is currently charged by the existing supplier. Despite higher collection costs for the supplier, it is expected Brent will still benefit from the contract through an improved service and volume. The expected charge will also be part of the consideration when setting the fee charged by Brent.

6.0 Legal Considerations

6.1 The estimated value of the contract for Bulky Waste Material Collection Services is £800,000 over the term of the contract, including possible options to extend. The contract will be procured using a Dynamic Purchasing System established under the Public Contracts Regulations 2015 (PCR 2015) by the West London Waste Authority prior to 24 February 2025, as such, the procurement will be governed by the PCR 2015.

6.2 In accordance with paragraph 13 of Part 3 of Brent's Constitution, the Leader has delegated certain functions to Cabinet members to be exercised within their portfolio area in consultation with the Leader. This delegation includes

agreement of waivers of Contract Standing Orders for Medium and High Value Contracts subject to their being no breach of the Council's own procedures or domestic law.

- 6.3 The services Officers are proposing to procure are classified as a Medium Value Contract under Contract Standing Orders. Under the Council's Contract Standing Orders, Medium Value Contracts are to be procured by way of a tender process and in accordance with all relevant Contract Standing Order requirements. However, in accordance with paragraph 13 of Part 3 of the Constitution, Individual Cabinet Members have delegated authority, in consultation with the Leader, to grant a waiver of the requirements of Contract Standing Orders provided to do so would not be contrary to Procurement Legislation. It is not considered that granting a waiver in the terms requested would be contrary to Procurement Legislation.
- 6.4 Following the procurement process, Officers intend to seek authority from the Corporate Director, Neighbourhoods and Regeneration to authorise the West London Waste Authority to award the contract to the winning provider and to approve entry into a Service Level Agreement with the West London Waste Authority to cover the respective responsibilities. As a key decision, the decision to authorise the West London Waste Authority to award will be subject to a call in period of at least 5 days following publication of the decision on the internet prior to implementation of the decision. The award decision will also be subject to a 10-day standstill period under the PCR 2015.
- 6.5 In reaching any decision to waive Contract Standing Orders, the Cabinet Member in consultation with the Leader should have regard to the reasons Officers have set out in Section 3 of the report.
- 6.6 Officers have been advised by the West London Waste Authority and current contractor that there are unlikely to be any TUPE implications under the Transfer of Undertakings (Protection of Employment) Regulations 2006.

7.0 Equity, Diversity & Inclusion (EDI) Considerations

- 7.1 Pursuant to s149 Equality Act 2010 (the "Public Sector Equality Duty"), the Council must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,

- 7.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.3 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 7.4 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary.
- 7.5 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.
- 7.6 The proposals in this report have been subject to screening and officers believe that there are no adverse health equality implications.

8.0 Climate Change and Environmental Considerations

- 8.1 Both the Borough Plan and Climate & Ecological Emergency Strategy include commitments to expand recycling and reuse services in the Borough, thereby, increasing recycling and reducing waste. Diverting more waste from general disposal methods to recycling / reuse is proven to reduce the amount of greenhouse gases produced and allows for the repurposing of materials in the use of manufacturing thus reducing the need to use virgin resources.

9.0 Human Resources/Property Considerations (if appropriate)

- 9.1 This service is currently provided by an external contractor and there are no implications for Council staff arising from the procurement of the contract.
- 9.2 Officers have been advised by the West London Waste Authority and current contractor that there are unlikely to be any TUPE implications under the Transfer of Undertakings (Protection of Employment) Regulations 2006.
- 9.2 There are no property implications either at this stage.

10.0 Communication Considerations

10.1 There are no communication campaign considerations as part of this procurement process. But there will be a communication plan put in place for residents by WLWA depending on the procurement outcome.

Report sign off:

Jehan Weerasinghe

Corporate Director, Neighbourhoods and Regeneration