

## OFFICER DECISION

**Decision: Extension to Yorwaste Contract (Services Delivered by Yorwaste Ltd using the Teckal Procurement Exemption)**

**Decision Date: 26<sup>th</sup> September 2024**

<b>Type of Decision:</b> Director	Key		Non-Key	x
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**Portfolio Area that decision relates to:**

Leader (inc Corporate Services, Policy, Strategy & Partnerships)		Environment and Climate Emergency	<b>x</b>
Economy & Transport		Finance, Performance, Major Projects & Equalities	
Children, Young People and Education		Children, Young People & Education	
Health, Wellbeing and Adults Social Care		Housing, Planning & Safer Communities	

**Background / Decision Summary:**

In September 2015 both CYC and NYCC and Yorwaste entered into a ten year contract (“the Services Contract”) , with the option of a five year extension, for the provision of waste management services utilising the Teckal exemption. This followed approval by Executive in March 2015 [Decision - Yorwaste Limited and Implementation of the Teckal Exemption \(york.gov.uk\)](#)

CYC and Yorwaste entered into separate services contracts at the same time.

Services for CYC include waste management and collecting and disposing of commercial waste including confidential waste.

The individual services provided are detailed in a series of schedules to the Services Contract (“Schedule”); each Schedule setting out the specification in relation to each service. The addition or removal of services is practically achieved by varying the agreement.

Although there have been changes to national policy and waste legislation, the current CYC and Yorwaste Services Contract allows the ability for the Council to change services specified within the Schedules to react to policy already changed and any impending legislation. Therefore, the current contract provides the necessary flexibilities to complete any changes under a ‘change control notice’.

Under the terms of the contract which expires on 30th September 2025, there is provision to extend the contract for a period of 5 years (i.e. to September 2030). The stipulation within the contract is that to invoke this extension a 12 month notice period must be provided to Yorwaste.

Therefore, it is recommended that the Council extends the current contract to September 2030.

**Options Considered:**

Under the terms of the contract which expires on 30<sup>th</sup> September 2025, there is provision to extend the contract for a period of 5 years (i.e. to September 2030). The stipulation within the contract is that to invoke this extension a 12 month notice period must be provided to Yorwaste. This is the recommended option.

**Options Rejected:**

Not to extend the contract. This was not considered to be an option given that the contract is meeting the Council's expectations in relation to the management of waste and recycling.

**Consultation Process:**

All relevant internal services (Procurement, Legal, Finance) have been consulted in relation to the decision.

**Implications**

Crime & Disorder		Equalities		Highways	
Human Resources		Legal		ICT	
Financial	x	Affordability		Property	
Climate Change		Health	x	Other	
Environment	x	Human Rights			

**Implications Contact:**

Ben Grabham (Head of Environmental Services)

**Level of Risk:**

Acceptable

**Wards Affected:**

All Wards	x	Fishergate		Holgate		Rural West York	
Acomb		Fulford & Heslington		Hull Road		Strensall	
Bishopthorpe		Guildhall		Huntington & New Earswick		Westfield	
Clifton		Haxby & Wigginton		Micklegate		Wheldrake	
Copmanthorpe		Heworth		Osbalwick & Derwent			
Dringhouses & Woodthorpe		Heworth Without		Rawcliffe & Clifton			

**Comments/Observations:** The service will be required under the terms of the contract to provide a letter to Yorwaste providing 12 months' notice to extend the contract. This will be completed by the Head of Environmental Services.

**Decision:** To approve the extension to the Yorwaste Contract (Services Delivered by Yorwaste Ltd using the Teckal Procurement Exemption) by 5 years to 30<sup>th</sup> September 2030.

**Decision Made by: Director of City Development**

**Contact Details: Claire Foale – [claire.foale@york.gov.uk](mailto:claire.foale@york.gov.uk)**

**On behalf of:** Ian Floyd, Chief Operating Officer

**To be implemented by:** Head of Environmental Services

**On Completion – Signed off by:**

**Date: 26.9.24**



**Claire Foale**  
**Interim Director of City Development**