PORTFOLIO HOLDER DECISION RECORD

Portfolio Holder: Councillor S Imafidon, Portfolio Holder for Heritage (except Wisbech High Street Inspire! Projects), Assets, FFL, Environmental Services, Business Premises: Health & Safety and Food Safety	**Service:** Assets & Projects
Lead Officers: Mark Greenwood, Head of Property, Assets and Major Projects, Kevin Gove, Principal Engineer	**Delegated Power Being Exercised:** Part 3 - Responsibilities for Functions: Tables 5, paragraph 8 authorises Cabinet Member to: "approve any action within their functional area up to between £100,001 and £500,000'.
Subject of Decision: BioMarsh Environmental Ltd (BEL) - two-year extension to contract to remove sewage effluent from FDC assets	

Decision Taken:
To approve the reappointment of BioMarsh Environmental Ltd as a specialist provider to undertake effluent removal services from 1 April 2026 to 31 March 2028, resulting in a two-year fixed term contractual extension.

Reason for the Decision:
The Sewage Treatment Works service is mandatory, and the Council could face prosecution by the Environment Agency if this service was not provided to a high level of satisfaction.

The sewage provision service will be provided by Fenland District Council, or future named council, post LGR on 1 April 2028 for many years to come, unless changes in legislation dictate that Statutory Sewage Undertakers adopt these types of assets and connect unconnected properties to their sewage systems.

The Sewage Treatment Works, Pumping Stations, Cesspits and other assets outlined in Schedule 1 require routine emptying (de-sludging) as part of their ongoing maintenance and service program to ensure the effective and safe operation for our connected customers and the local environment open ditches and watercourses to which their treated effluent discharges.

The tankering service provision fulfils the Council’s requirements to facilitate an effective sewerage service and meet its legal and environmental obligations in accordance with site specific Environment Agency Discharge Consents and best practice.

The appointed tankering contractor is required to safely collect and appropriately dispose of foul sewage waste, sludge and liquid effluent from the identified assets and on occasions, other small private plants located within the district as part of the Council’s Environmental Enforcement Action process, administered through the Environmental Services Team.

The existing three-year contract contains a clause which indicates an option to extend the contact duration by two years subject to mutual agreement by both parties.

The current arrangement is operating well. BEL arrive on time with the correct number of sized tankers as requested. The units are modern, contain large suction pumps which quickly empties the plant and are certainly fit for purpose.

BEL ensure that every m3 of effluent that leaves the Council's plants is electronically recorded and can be traced to where it has been officially discharged. Discharge is generally at the closest approved Anglian Water Service plant in Kings Lynn or Peterborough.

During the last 2.5 years an excellent working relationship has developed between the Council's Maintenance Engineer (ME) and the regular BEL Tanker drivers

BEL drivers assist with the programmed service and de-sludge process in accordance with contractual requirements. Having a BEL driver on site assisting the ME with his programmed de-sludge / service process removes many of the risks associated with lone working practices. The BEL drivers have now become an integral part of the Council's STW Maintenance Team.

If a new provider was appointed, the first year of the contractual operations would require significant time and effort by both parties to develop the level of service provision to meet the standards the Council receives today.

In December 2025, BEL indicated that they would be happy to extend the contract for two years, expiring on 31 March 2028.

The current and proposed rate card is detailed in Schedule 2. An approximate 4% increase is to be applied to the 2025/26 rates for 2026/27. The rates for 2027/28 shall remain as per 20267/27, i.e. no increase for the last year of the Contract.

The overall value of this appointment is expected to be in the region of £220k to £240k.

Alternative Options Considered (if appropriate):
In House Provision
The tankering service provision cannot be undertaken in-house as the Council does not have a tanker or staff resources to operate such a service.
The re-introduction of an in-house provision is not considered financially viable or practical for the Council to adopt.

New Procurement Exercise
A new contract could be re-tendered, however the duration for the appointment would only be for a maximum of two years due to LGR commencing on 1 April 2028.
A re-tender would re-test the open market for the cheapest service provision, however it poses a risk that received prices could be higher than those proposed by BEL, resulting in the Council being charged more for the same service provision.

Background/Reports/Information considered and attached:
Tender documents, evaluation and recommendation reports based on 2023 procurement and appointment exercise are available upon request.
Schedule 1 - List of Assets
Schedule 2 - Current Rate card with proposed rates for 2026/27 and 2027/28.

Additional Info: BEL are the existing specialist provider appointed to remove sewage effluent from the Council's assets as detailed in Schedule 1 for three years, following their successful tendered appointment which commenced 1 April 2023. The current contract expires 31 March 2026. It is recommended that BEL remain as the Council's service provider for the coming two years, which coincides with the commencement of Local Government Reorganisation (LGR) commencing on 1 April 2028.

Once LGR uncertainties have been confirmed, a new tender exercise is likely to be undertaken encompassing the new authority's assets. The anticipated value of the two-year exension is

expected to be in the region of £220k to £240k.
Legal and Procurement Implications No procurement implications, a tender exercise was conducted in 2023, in accordance with the public contract regulations PCR2015. Procurement Team are happy with this recommendation. **Financial Implications** None – confirm revenue budget remains in place before raising annual FDC Purchase Orders. Programmed weekly tinkering is required and must be budgeted for. **Other Implications** None – BEL confirmed they will not be operating vehicles from the Elm site for this contract. Councillor Tierney has been consulted and he is in agreement that BEL should be re-appointed.

Portfolio Holder Signature: Councillor S Imafidon, Portfolio Holder for Assets	Date: 5 January 2026

Please forward to Democratic Services upon completion

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Date copy passed to Democratic Services 05/01/26	**Implementation Date: 13 January 2026 (if not called-in) (Allow 5 clear working days after publication of decision)**

Circulation: Democratic Services, Portfolio Holder, Officer and Accountancy.