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Contract

## **Credit Purchase Agreement**

NORFOLK ENVIRONMENTAL CREDITS LIMITED

F03: Contract award notice

Notice identifier: 2025/S 000-016858

Procurement identifier (OCID): ocds-h6vhtk-05072b

Published 24 April 2025, 4:14pm

### **Section I: Contracting authority**

#### **I.1) Name and addresses**

NORFOLK ENVIRONMENTAL CREDITS LIMITED

The Horizon Centre Broadland Business Park

Norwich

NR70WF

#### **Email**

[admin@norfolkenvironmentalcredits.co.uk](mailto:admin@norfolkenvironmentalcredits.co.uk)

#### **Country**

United Kingdom

#### **Region code**

UKH15 - Norwich and East Norfolk

## **Companies House**

14573978

## **Internet address(es)**

Main address

<https://www.norfolkenvironmentalcredits.co.uk/>

## **I.4) Type of the contracting authority**

Body governed by public law

## **I.5) Main activity**

Environment

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## **Section II: Object**

### **II.1) Scope of the procurement**

#### **II.1.1) Title**

Credit Purchase Agreement

#### **II.1.2) Main CPV code**

- 90710000 - Environmental management

#### **II.1.3) Type of contract**

Services

#### **II.1.4) Short description**

This Contract Award Notice details the award of a contract pursuant to the negotiated procedure without prior publication because of competition being absent for technical reasons.

Norfolk Environmental Credits Limited generate, establish and sells nutrient mitigation credits to offset nutrient pollution generated by new residential developments. The services covered in this notice relate to the sale of temporary nutrient credits to offset the effects of nutrients from new development.

#### **II.1.6) Information about lots**

This contract is divided into lots: No

#### **II.1.7) Total value of the procurement (excluding VAT)**

Value excluding VAT: £1,800,000

### **II.2) Description**

#### **II.2.3) Place of performance**

NUTS codes

- UKH15 - Norwich and East Norfolk

## **II.2.4) Description of the procurement**

Norfolk Environmental Credits Limited ('the Purchaser') is a collaboration between Breckland Council, Broadland District Council, North Norfolk Council and South Norfolk Council. Wendling Beck OPCO LLP ('the Supplier') operates an environment project that provides an opportunity to offset increased phosphate and nitrate loading.

The Supplier and the local planning authority entered into a section 106 agreement dated 28 November 2024 (the 'S106 Agreement') which seeks to regulate the use of certain mitigation land at Wendling Beck, Gressenhall, Norfolk (as defined in the S106 Agreement as the 'Mitigation Land') so as to reduce the discharge of nitrogen and phosphorous from such mitigation land so that the reduction can be used to offset the effect of nutrients from new development which would affect designated habitats sites.

The S106 Agreement requires for the temporary nutrient neutrality credits to be generated in a specific geographical catchment area to apply to the new developments. In securing the services for the generation, establishment and sale of nutrient mitigation credits, the Purchaser has entered into an agreement with the Supplier in which the Purchaser acts as the Supplier's agent for the sale of temporary Phosphorous and Nitrogen credits.

At the time of the contract award, the Supplier is the only company which has demonstrated it is able to provide within an appropriate timescale a tradable nutrient benefit (Phosphorus and Nitrogen measured in kg/yr) in a specific area of the European protected sites as required by the legal framework and in which the Purchaser is seeking to secure the nutrient mitigation.

Accordingly, after due consideration, the Purchaser has decided to make a direct award to the Supplier pursuant to Regulation 32(2)(b)(ii) of the Public Contracts Regulations 2015 on the grounds that competition is absent for technical reasons.

## **II.2.5) Award criteria**

Price

## **II.2.11) Information about options**

Options: No

## Section IV. Procedure

### IV.1) Description

#### IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The services can be provided only by a particular economic operator for the following reason:
  - absence of competition for technical reasons

Explanation:

The S106 Agreement requires for the temporary nutrient neutrality credits to be generated in a specific geographical catchment area to apply to the new developments. In securing the services for the generation, establishment and sale of nutrient mitigation credits the Purchaser has entered into an agreement with the Supplier in which the Purchaser acts as the Supplier's agent for the sale of temporary Phosphorous and Nitrogen credits.

At the time of the contract award, the Supplier is the only company which has demonstrated it is able to provide within an appropriate timescale a tradable nutrient benefit (Phosphorus and Nitrogen measured in kg/yr) in a specific area of the European protected sites as required by the legal framework and in which the Purchaser is seeking to secure the nutrient mitigation.

The Purchaser has established that, due to the technical and legal requirements associated with the generation of nutrient benefit, and the specific geographical requirements of the S106 Agreement, there was no other reasonable alternative or substitute and that the absence of competition was not the result of an artificial narrowing down of the parameters of the procurement.

Accordingly, after due consideration, the Purchaser has decided to make a direct award pursuant to Regulation 32(2)(b)(ii) of the Public Contracts Regulations 2015 on the grounds that competition is absent for technical reasons.

#### IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: Yes

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## **Section V. Award of contract**

### **Title**

Credit Purchase Agreement

A contract/lot is awarded: Yes

### **V.2) Award of contract**

#### **V.2.1) Date of conclusion of the contract**

14 March 2025

#### **V.2.2) Information about tenders**

Number of tenders received: 1

Number of tenders received from SMEs: 1

Number of tenders received by electronic means: 1

The contract has been awarded to a group of economic operators: No

#### **V.2.3) Name and address of the contractor**

Wendling Beck OPCO LLP

Norwich

Country

United Kingdom

NUTS code

- UK - United Kingdom

Companies House

OC441825

The contractor is an SME

Yes

#### **V.2.4) Information on value of contract/lot (excluding VAT)**

Initial estimated total value of the contract/lot: £1,800,000

Total value of the contract/lot: £1,800,000

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## **Section VI. Complementary information**

### **VI.4) Procedures for review**

#### **VI.4.1) Review body**

High Court

London

Country

United Kingdom