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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): ocids-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

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

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

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

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

High Court

London

Country

United Kingdom