

## **SUSTAINABLE PROCUREMENT AT WIRRAL**

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## **1.0 INTRODUCTION**

### **Strategic Procurement Objectives**

The Metropolitan Borough of Wirral is a major consumer of goods and services. We recognise that the goods and services we purchase will have an impact on the environment and human development both locally and globally. We aim to reflect our commitment to sustainable development and equality through the goods and services we purchase.

The Strategic Procurement Objectives are outlined in full by the Procurement Strategy developed by the Corporate Procurement Unit (CPU) and approved by Cabinet on the 4<sup>th</sup> December 2003.

The CPU have developed a Sustainable Procurement Policy to address the objective to 'promote procurement practices and policies which contribute to the Council's priorities on equality, sustainability and regeneration' and is a key objective of the Corporate Procurement Unit (CPU).

The Policy was endorsed by the Finance and Corporate Management Select Committee on 30 November 2004 and approved by Cabinet on the 15<sup>th</sup> December 2004.

### **Sustainable Procurement**

Sustainable procurement should meet normal procurement imperatives (Best Value) but not by:

- Exploiting labour, working conditions and pay.
- Undermining local cultures, values, practices and legal requirements.
- Damaging future economic and social prosperity of the individual community, country, and future generations.
- Exhausting or damaging natural resources, wildlife, habitat and bio-diversity.
- Polluting air, land and water.

The purpose of this policy is to help minimise impact on the environment by providing staff with information and practical help to assist them to buy or specify products that cause the least environmental damage. It sets out Council policy on environmental purchasing and gives tips and advice on how to find products that will be effective, of value for money and do least harm to the environment.

The Metropolitan Borough of Wirral has a commitment to sustainable development, or as the Government recently put it '*a better quality of life for everyone, now and for future generations to come*'. This commitment is part of our response to the global action plan for sustainable development Agenda 21. It numbers us amongst thousands of local authorities throughout the world all playing their part. This guide aims to assist with the implementation of the procurement strategy. If we are to deliver best value services we need to take account of the wider implications of our purchasing decisions. The purchase price may only be a fraction of final cost to the council, or wider society, with a variety of impacts associated with the way goods and services are made, delivered, moved, used and disposed of. These include running costs, repair and disposal charges, along with indirect and hidden costs like traffic congestion and pollution.

We all use goods and services on the Council's behalf, or influence the specification of council purchases. Whilst your individual choices may not seem like much, they add up. The Metropolitan Borough of Wirral already spends approximately £160 million each year and so has a potentially huge impact. The UK Government currently encourages Green procurement and in several European countries it is already mandatory in the public sector.

### **Equality**

The Council of the Metropolitan Borough of Wirral is committed to equality of opportunity for everyone regardless of his or her race, nationality, religious belief, gender, sexuality, disability, age, or marital status. We are committed to promoting equality and diversity, which embraces a broader definition than equal opportunities. This broader definition recognises that everyone has a contribution to make and that services can be improved by harnessing the skills and contributions from all sectors of the workforce and community. Equality issues relating specifically to procurement will be incorporated in this Sustainable Procurement Policy. Further details can be found in the 'Equality and Diversity Statement' recently adopted by Cabinet.

## **2.0 SUSTAINABLE PROCUREMENT POLICY**

### **Objectives:**

- Minimise the consumption of non renewable resources
- Eliminate waste
- Maximise re use and recycling
- Use goods and services which are least harmful to the environment and human development
- Achieve and promote best practice with respect to purchasing and sustainable development

### **In order to achieve this, the Council will:**

- Reduce the purchasing of new products by cutting down on waste and repairing or reusing existing products.
- Consider value for money in terms of durability, running costs, maintenance and disposal costs rather than simply the initial purchase price.
- Specify products which are made of recycled materials; can be recycled or reused; can be operated in an energy efficient manner without wasting water; and provide the Best Practicable Environmental Option (BPEO) in terms of their production, distribution, transportation, use and disposal, so long as the requirements of value for money and quality are met.
- Explore the availability of locally produced goods and services that might meet the Council's needs.
- Explore the availability of 'Fair Trade' and 'Buy Recycled' type goods that might meet the Council needs.
- Purchase whenever practical, materials and substances which are the least harmful to the human health, environment and future generations.
- Ban the use (by the Council and its contractors) of certain specified environmentally damaging products where the alternative product or method is suitable and available, including: ozone depleting chemicals; tropical hardwood which is not independently certified as coming from a sustainable, managed forest; pesticides on the UK 'Red List' and EC 'Black List'; creosote and asbestos. It will maintain an up to date list of these prohibited products, held by CPU.
- Develop detailed guidance for the purchase of products with potentially significant environmental impacts by virtue of their nature of the quantity of them purchased by the Council
- Include environmental considerations in all contract documentation.
- Continually review purchases and contracts specifications with the intention of reducing the environmental impact of direct and indirect purchases.
- Include environmental considerations in the assessment of suppliers and contractors and their products, and work together with suppliers and contractors to improve environmental performance.
- Raise staff awareness about environment and development issues relating to purchasing through the provision of appropriate information and training for specifiers and end users.



## Metropolitan Borough of Wirral

- Meet relevant statutory requirements and help set the standards for best environmental purchasing practice.
- Share experience with others and promote good practice with respect to purchasing and sustainable development.

### 3.0 SUSTAINABLE PROCUREMENT AND EC PROCUREMENT DIRECTIVES

#### How to Use this Guidance

This guidance can be used for all contracts. It sets out some of the opportunities available for incorporating environmental criteria into contracts at each of the following stages of the procuring process:

- Specifying the subject matter (including possible use of 'variants')
- Specifying the technical specification (including possible use of 'variants')
- Selecting contractors who meet the technical specification
- Awarding contracts
- Contract clauses

It illustrates the opportunities through a few examples. For input on the environmental criteria for any particular contract...

- For small contracts (below £144,371 for supplies and services, and below £3,611,319 for works, as of 1 Jan 2006) this document specifies the *minimum* opportunities which should be taken to achieve environmental benefits through contracts. European legal constraints do not apply to small contracts.
- For large contracts to which EU legislation applies (above £144,371 for supplies and services, and above £3,611,319 for works) all the guidance in this document (both constraints and opportunities) should be followed.

#### Specifying the Subject Matter of contracts – Areas to maximise environmental content

This is the key area for describing environmental features of your products / services / works. The technical specification (see Section 3) needs to follow from the Subject Matter.

#### EU Restrictions, for large contracts only:

- Rule of 'Non-Discrimination' – we can not specify a contract in a way in which the objective or result is to limit the contract to domestic/local companies
- Principle of 'Proportionality' – Environmental content can not be more detailed than is necessary for achieving reasonable environmental benefit. (For instance 'green electricity' can be required, but 'electricity from wind' would be considered a disproportionate specification).

Within these restrictions, there are substantial freedoms to specify environmental characteristics, in the design stage, the product itself, and the execution of the contract. Examples below give an indication of the freedom available.

## **Opportunities for specifying environmental criteria:**

### ***Works contracts***

Where the local authority defines the design, execution and final product of the works they:

- Can ask for e.g. a low energy-consuming and low water-consuming building, sustainable construction materials, incorporation of renewable energy and/or CHP, with limited use of lifts and maximising natural light
- Can also ask for works to be carried out in such a way as to minimise energy and water use, and impose requirements about waste management

### ***Service contracts***

- Can prescribe, for instance (i) a specific method of building cleaning using products that are least harmful to the environment, (ii) public transport services are to be carried out by electric buses, (iii) method of collection of household or office waste.

### ***Supply contracts***

- Can prescribe environmentally sound products – e.g. ‘*recycled paper which is not bleached*’, ‘*re-use of containers*’. Can take into account full life cycle analysis issues, but can’t discriminate against non-local tenderers, so transport implications can’t be taken into account fully (although it can be specified that deliveries are organised in such a way as to minimise the need to travel).

N.B. – can also use variants in specifying Subject Matter – see section 4

Information should be included on the method to be used for assessing the bidders’ ability to deliver the Subject matter.

## **Technical Specifications**

Administrative

### **EU Restrictions for large contracts**

- Content of the Technical Specification must follow from the subject matter of the contract
- Can not mention specific products or specific makes
- Can only mention trade marks, patents, types, origins or production when this helps to clarify meaning, and is accompanied by the term *or equivalent* (e.g. with respect to FSC timber – for details on the Council’s timber purchasing policy, see Part 5) Can not require (but can recommend) features which do not relate to production process (e.g. use of recycled paper in offices, waste disposal methods of contractors used, equal opportunities practices)

Opportunities for all contracts, even under EU Directives - Provided the specification is non-discriminatory, the technical specification can:

- Prescribe the materials which are to be used (e.g. wood/recycled materials)
- Prescribe for features of the production method, even if this doesn't change the appearance of the product, (e.g. can require that electricity used is green electricity, though can't specify 'solar' or 'wind' electricity, and can require use of organic foodstuffs)
- Prescribe that products must meet Eco-Label criteria, but must accept other forms of proof that label standard is met

Information should be included on the method to be used for assessing the bidders' ability to deliver the Technical Specification.

### **Use of variants**

Variants involve setting a standard definition for the contract, and an alternative definition. Tenders are invited for both definitions. The Council can make a decision based on all tenders received. Variants should be used to help find the balance between environmental and financial objectives of procurement, when the environmental objectives might entail excess costs. Variants need to be applied in both the subject matter and the technical specification. (For example, Councils have used variants in specifying for weed control in street cleaning contracts, and opted for slightly more expensive but less environmentally damaging chemicals.)

### **Selection of Candidates**

(Ensuring potential contractors can deliver the environmental aspects of the Specification)

A potential contractor can be excluded from a contract if the contractor has been convicted of an offence concerning professional conduct or is guilty of grave professional misconduct proven by any means, including non-compliance with environmental legislation

Compliance with an Environmental Management System accreditation scheme (e.g. EMAS/ISO 14001) can be taken as evidence that the environmental aspects of a contract's technical capacity can be met, if there are direct links between the scheme and the technical specification. But for large contracts, non-accreditation cannot be grounds for exclusion if other proof of meeting the environmental aspects of the technical specification is available

- If fulfilment of the contract requires specific know-how in the field of the environment, specific experience is a legitimate criterion of technical ability and knowledge, even for large contracts

### **Award of Contract**

At this stage, opportunities to impose environmental criteria are limited for large contracts, under European Law. The most '*economically advantageous*' tender which is still in the running must be selected. **Therefore it is critical that environmental criteria are incorporated at the subject matter and technical specification stage.**

**The only environmental criteria that can be relevant at this stage relate to environmental issues with an economic implication. These issues are still reasonably wide. The relevant environmental criteria include running costs such as:**

- Energy and water consumption associated with the contract (but only as far as their financial implications are concerned); as well as direct energy costs, these can include indirect costs such as air conditioning equipment working harder due to heat from less energy efficient equipment
- Repair and maintenance costs, based on financial savings associated with the potential to re-use/repair/refurbish old parts
- Waste disposal costs, and the potential to avoid these through durability or products, maintenance and recycling
- Administration costs (e.g. if a more expensive, but less harmful chemical is used, this may reduce the time spent by staff in complying with Control of Substances Hazardous to Health (COSHH) Regulations

**In considering what is most economically advantageous, authorities can also factor in risks, the significance of which is a matter of judgement. These include:**

- The advantages of reducing their risks under COSHH and the Duty of Care on Waste Management. e.g. by choosing benign rather than hazardous materials
- The risk of investing in redundant plant and equipment as increasingly stringent environmental standards are imposed through EU and UK legislation, and enforcement of these standards
- The risk of accepting a contract with lower environmental standards when future legislation is likely to require tighter environmental standards (e.g. legislation on reducing and re-using packaging)

**Most of the information above is taken from *Environmental Issues in Purchasing – Note by the Treasury and DETR* (date not available)**

A key court decision is awaited (C-513/99) on whether the economic advantage criterion must apply to the contracting authority, or can be interpreted more widely, as a measurable economic advantage without the advantage necessarily accruing to the contracting authority (e.g. if residents reap the energy saving benefits, not the council).

### **Execution of the Contract**

**Contract Clauses** fall outside the EU Public Procurement Directives. They must relate to the execution of the contract and not be disguised selection criteria or technical specifications. They must be announced in advance to applicants. They can impose extra environmental conditions.

The following are examples of specific additional conditions, which have a bearing on the performance or execution of the contract and which ultimately meet general environmental objectives, which are sufficiently specific, observe Community law principles and are in conformity with the Directives:

- Delivery / packaging of goods in bulk rather than by single unit
- Recuperation for re-use of packaging material and the used products by the supplier

- Delivery of goods in re-usable containers
- Collection, take-back recycling or re-use of waste produced during or after use or consumption of a product by the supplier
- Transport and delivery of chemicals (like cleaning products) in concentrate and dilution at the place of use

A mode of environmentally sound transport can also be specified in a contract clause if, in the specific circumstances of the contract, it does not lead to discrimination.

Legal guidance behind this policy is taken from *Commission Interpretative Communication on the Community law applicable to public procurement and the possibilities for integrating environmental considerations into public procurement – 4.7.2001*

## **4.0 ENVIRONMENTAL ASSESSMENT**

### **Pre Qualification Questionnaire**

Our pre qualification questionnaire (for use in the 'Restricted' procurement procedure) includes the following questions to assess the environmental management of a supplier.

Does your company have a written environmental policy?

Does your company operate an Environmental Management System (EMS)?

Within the last 3 years, has your firm: been prosecuted for breaking any UK or EU environment law; or had any notice served upon it by an environmental regulator or authority

Does the company regularly monitor its operations to ensure they are complying with environmental legislation? Do you have a person with specific responsibility for your environmental performance?

Please outline the major environmental impacts of the company and how steps are being taken to improve performance on the areas relevant to the contract. These may include, but are not restricted to the following:

Waste minimisation, pollution control, use of recycled or recyclable materials, energy and fuel reduction, packaging, working practices, use of harmful materials, transport

### **Assessment of the Environmental Attributes of a product**

The following points can be added to the questionnaire or considered either in the specification or as evaluation criteria in order to determine or quantify the life cycle costs and implications of the product.

### **Material Composition**

1. Has the product been awarded an eco-label, such as FSC, European Energy Label, Climate Care, Fairtrade or equivalents? Yes/No - If Yes, give details of certification and proceed to question 6:
2. Is the product made from recycled materials? Yes/No - If Yes, what is the % recycled composition:
3. Is the product made from renewable resources? Yes/No - If Yes, give details:
4. Does the product contain any hazardous materials? Yes/No - If Yes, give details:
5. Does the product contain any materials banned by the Council?\* Yes/No - If Yes, give details:

\* See list of prohibited materials

### **Production**

6. Have the production process/processes taken into account the impact on the environment for the products to be supplied? Yes/No - If Yes, what action has been taken?



**Transport**

7. Does the supplier have a policy that incorporates transport issues, e.g. increasing load per truck, using alternative energy sources and forms of transportation? Yes/No - If Yes, give details of the policy:

**Packaging**

8. Is packaging made of recycled materials? Yes/No
9. Can packaging be reused or recycled? Yes No Is packaging reused where possible
10. Does packaging contain materials banned by the Council? Yes/No
11. Can packaging be taken back by suppliers for reuse? Yes/No - If Yes, give details of how this is achieved:

**Product use / whole life cycle implications**

12. What is the expected life span of the product under normal usage? Please give details:
13. If the product can be repaired, for what period will spare parts/guaranteed support be available? give details:
14. Can the product be easily upgraded? Yes/No - If Yes, give details
15. If the product uses energy, is it as energy efficient as alternatives? Yes/No - If Yes, give details

**End of life / Disposal**

16. Can the product or its components be reused? Yes/No - If Yes, give details
17. Can the product or its components be recycled? Yes/No - If Yes, give details
18. Can the product be easily dismantled into its single components? Yes/No - If Yes, give details
19. Can the product be disposed of safely? For example is it made from biodegradable/harmless materials? Yes/No - If Yes, give details

## 5.0 PRODUCT DIRECTORY

An updateable section, giving advice on procurement considerations, green options and further sources of information. This section is a work in progress; we will develop guidance for other products and services over time. If you can help, contact Corporate Procurement Unit. Email [cpsu@wirral.gov.uk](mailto:cpsu@wirral.gov.uk).

### **Your help is needed!**

Whilst this guide aims to be useful, it by no means contains all the answers. New products and processes come onto the market all the time, and our understanding of impacts changes too. Hopefully the guide will point you in the right direction, but if it doesn't it may be that you can help plug the gaps. Your experience and knowledge is vital to help shape future versions, so please send updates to the Corporate Procurement Support Unit.

There are regulations (The Chemicals Hazard Information and Packaging) Regulations 1994) which require suppliers to classify products on the basis of chemical properties, health effects and environmental effects. This information includes the correct methods of disposal of residue and should be supplied with the product.

### **Paper**

One of the most overused and wasted product is paper. About a third of all consumer waste is paper. Did you know it takes sixteen trees to make the wood pulp for one tonne of virgin paper? Recycled paper does not require trees to be felled. Furthermore it needs half the water and energy to produce. Unlike in the past where prices were high and quality often variable, good quality recycled paper suited to most uses can now be found at a comparable cost to virgin paper, for some uses it may well be the cheapest option.

### **Tips for greener paper purchasing**

The greenest option is to buy 100% recycled unbleached paper made from post consumer waste i.e. paper that has already been used. Generally speaking, the higher the content of low or medium grade waste the more environmentally friendly the paper. That said, the performance of such papers may not be suited to every use, so the aim should be to use the maximum proportion of recycled content, without compromising performance for the task in hand. Where unbleached paper is not suitable, oxygen bleached paper is considered more environmentally friendly than that bleached with chlorine.

### **Where possible:**

- Think about the quality of paper needed for the job in mind, don't over specify.
- Buy 100% recycled paper for copying. The Council's paper contract includes a recycled paper option. Look for 'Recycled' logo products in the catalogue.
- Buy 100% recycled paper stationary such as pads and notebooks. Look for the 'Recycled' logo products in the catalogue.
- Look to use other recycled items such as files, binders, folders and post it notes. Look for 'Recycled' logo products in the WNWPO catalogue.

- Buy 100% recycled paper towels, toilet tissue. Look for 'Recycled' logo products in the WNWPO catalogue.
- Only specify photocopiers and printers that accept recycled paper.
- Use the in-house printing service for all printing requirements.
- Buy plain paper fax machines rather than thermal paper machines – thermal paper cannot be recycled as easily.
- Keep written work concise and to the point!
- Use both sides of your paper
- When practical, circulate papers and reports rather than producing multiple copies.
- If you have access to e-mail use it in preference to paper based communications.
- Don't print off e mails if you don't need to
- Use a paper stamp to record you fax details, rather than writing them on an extra cover sheet

### **Tips to reuse paper**

- Reuse scrap paper for message pads
- Provide receptacles for collecting waste papers for reuse
- Reuse envelopes for internal circulation
- Reuse envelopes using stick-on address labels

### **Recycle**

Provide receptacles for collecting waste papers for recycling, contact the council's Recycling Team on 643 7312 or Email [recycling@wirral.gov.uk](mailto:recycling@wirral.gov.uk).

### **WMBC Policy**

We have a corporate policy (adopted by the Policy and General Resources Panel on 16<sup>th</sup> March 2000) to purchase all white paper (A3 & A4) as 100% recycled quality and a target to extend this policy to other stationery where feasible.

### **Purchasing**

- Purchase / specify white paper which is 100% recycled
- Avoid the use of coloured paper
- Specify 100% recycled content for other stationery and paper goods wherever possible e.g. paper towels, toilet rolls, envelopes, notebooks
- Specify all external publications to be printed on paper from renewable sources & stated on document
- Ensure any printing requirements are coordinated by the Print Unit.

### **Stationery**

The Council's environmental management system is the mechanism through which it aims to make continual, measurable progress in our environmental performance and to reduce our environmental impact.

The Council is a large purchaser of office supplies and equipment, and by carefully choosing the right products can reduce the impact the Council has on the environment. Through purchasing in bulk the Council can help stimulate the demand for recycled goods which in turn will lead to increased manufacture of these goods.

### **Purchasing**

- Do not buy typewriter correction fluids, spraymount adhesives or glues which contain ozone depleting solvents.
- Specify office products which are recycled, re-usable/refillable, long life or recyclable.
- Use re-manufactured photocopier and laser printer toner cartridges, refillable highlighter and marker pens, and files made from recycled paper.
- Give preference to the 'green' items in the catalogues.

### **Adhesives**

- Tapes - The Council purchases a significant amount of adhesives, particularly tapes. General purpose tape should preferably use water-soluble adhesive and be paper or cellulose based which means on final disposal it will be biodegradable.
- Always try to use a narrow tape to reduce the quantity used.
- Spray adhesives - should be avoided if possible; much of the product is lost to the air and can be very wasteful. Most spray adhesives contain some solvent, although many are now water based and the solvent content has been reduced.
- Glue sticks - are more environmentally friendly as well as non-toxic and re-usable.
- Blu-Tack can be re-used many times.

### **Correction fluids**

- With the advent of PCs, use of correction fluid should have now decreased.
- Use solvent free water based correction fluids as they do not need thinners and do not emit solvents into the atmosphere.

### **Batteries**

- Batteries require up to 50 times more energy to manufacture than they are able to produce; they are a very inefficient use of energy.
- Use mains electricity wherever possible.
- Where batteries do need to be used use re-chargeable batteries.
- Batteries contain highly toxic chemicals – seek advice regarding disposal.

### **Envelopes**

- For all internal mail use re-usable envelopes; these can be used many times before they need to be thrown away.
- Try to avoid the use of staples or sellotape to seal them as this causes damage and shortens their life. It is also possible to re-use other envelopes - use a sticky label to cover up the old address.
- For external mail use Brown Manila envelopes; they have a recycled content of 70%.

### **Files and Binders**

- Despite advances in computer data storage, there is still some need for paper based storage systems.
- Avoid folders that have a PVC cover (see PVC section).
- Use polypropylene folders; these are available made from 100% recycled material and are very durable.
- Use cardboard folders and wallets that are made from recycled material.

### **Flipchart Paper**

- Use whiteboards where possible.
- Buy Flipchart paper that is made from 100% recycled paper and use both sides of the paper.

### **Notebooks and Pads**

- Try to minimise the use of notebooks and pads.
- Staple paper that has been printed on one side only into note pads.
- Where you do need to use notebooks and pads buy ones made from 100% recycled paper.

### **Pencils**

- Use refillable pencils.
- Avoid disposable automatic pencils.
- When buying traditional pencils buy ones made from recycled materials. Pencils are available made from recycled plastic drinks cups. See the Buy Recycled link.
- Buy wooden pencils that minimise the use of varnishes.

### **Pens**

- The Council buys (and throws away) a large number of biro's and disposable pens. Many are 'lost' or are thrown away when they begin to run out or 'blob'.
- Invest in better quality pens and keep a stock of refills.
- Provide staff with a refillable pen and ask that they look after it
- Make fountain pens and bottles of ink available to staff.
- Ensure that any disposable pens are made from recycled material.
- Highlighter pens, Flipchart pens and Whiteboard pens are all available with refills.

### **Post-it Notes**

- 15 years ago Post-it notes did not exist, yet they are now widely used and accepted as every day items of office stationary. The glue on the paper makes them unsuitable for recycling, so minimise their use.
- Always purchase Post-its made from 100% recycled paper.

### **Toner Cartridges**

- Toner cartridges for photocopiers and laser printers can be re-manufactured to a quality which matches or exceeds the original. You can make substantial savings from using these products and the used cartridge does not end up in a landfill site.

### **Timber**

See timber policy (Section 6)

### **Cleaning Products**

#### **Purchasing**

- Purchase and use cleaning materials which have the least detrimental effect on the environment.
- Ensure that environmental considerations are taken into account in the choice of cleaning chemicals.
- Ensure that a risk assessment is carried out for each chemical in accordance with the Control of Substances Hazardous to Health Regulations 1999.
- Maintain training programmes and records for all staff using chemicals.
- Monitor amount of cleaning materials purchased and periodically review cleaning schedules.
- Specify refillable containers and use suppliers who operate a take-back system
- Avoid aerosols, specifying pump action sprays wherever feasible.
- Specify products which are at least 80% biodegradable and are vegetable based rather than petroleum based.

### **Energy Efficiency**

#### **Purchasing**

- Purchase the most energy efficient equipment available at the time.
- Ensure that all new computer equipment incorporates energy reduction features in line with the US Energy Star Standard.
- Include whole life costs (operational energy consumption, maintenance and disposal costs) in purchasing decisions of electrical equipment.
- Recycle or arrange the re-use of as much electrical equipment as possible.
- Encourage energy efficiency.
- Specify all white goods purchased to have an energy efficient rating of 'B' or better.
- Ensure that all office equipment, e.g. computers, printers, photocopiers, has energy reduction facilities and that these are enabled when in use.
- Avoid the purchase of portable appliances where there are existing facilities for staff use, e.g. water heaters, fans, heating appliances.
- Where the use of portable appliances is unavoidable, ensure that the appliance is PAT tested before use.
- Specify energy efficient lighting when bulbs and fluorescent tubes are replaced.
- Where it is necessary to purchase batteries, ensure that these are rechargeable.
- Encourage your site's Green team to run energy awareness campaigns for staff.

- Arrange training for staff responsible for monitoring utility use.
- Ensure that all electrical equipment is disposed responsibly, through a corporate recycling route if possible.

## **Peat**

### **Purchasing**

- Alternatives to peat and peat-based products will be sought **wherever feasible**
- The Authority will encourage suppliers and contractors to make steps to eliminate the use of peat as a growing medium.
- Avoid peat or peat containing products, unless no viable alternative is available
- Products grown in peat, unless no viable alternative is available

### **Alternatives to peat and peat-based products**

- Mulch
- Soil Improvers
- Growing media
- Use of recycled green waste

## **Pesticides**

These are defined as any chemical used to control weeds, fungal growths and insect pests, and are used in agriculture and horticulture. Local Authorities are the biggest users of pesticides outside agriculture.

Nationally some 4,000 acute poisonings occur due to pesticide misuse each year. Many pesticides are water-soluble and can contaminate groundwater; just one teaspoon can contaminate the water supplies of 4,000 people for an hour. Some pesticides have been found to accumulate in the environment and can bioaccumulate along the food chain, adversely affecting the reproductive capabilities of mammals. In addition to this, pesticides can accumulate to such levels in water that they are toxic to fish.

### **Before procurement consider:**

- Is the chemical the only method available? Can alternatives be used such as, thermic weed control, mowing on verges etc. Is biological control an option?
- Has the most environmentally friendly active ingredient been chosen? Is the pesticide species-specific or non-residual?
- Can the volume of chemical be reduced? Minimising and controlling the use of chemicals can have cost saving benefits.
- Many chemicals have the potential to contaminate water. Is there a risk of water pollution? If an illegal chemical has been applied to the ground and finds its way into the local ground water, the Environment Agency does have powers to prosecute.
- Have you carried out a COSHH (Control of Substances Hazardous to Health) Assessment? Hazardous pesticides should be selected and used in accordance with the requirements of COSHH.
- Have you identified the risk factors to yourself and the public? All staff involved with the use of chemicals should have had appropriate training.

- Have you considered the time of year? Some pesticides have an application period which is specified for use and do not work if applied at the wrong time.

It is important that environmental considerations are taken into account before purchasing pesticides due to the dangers associated with them. Closely controlled pesticide use, minimising the amount of pesticides used whilst maximising the effectiveness of applications, can help to reduce environmental impact.

### **Purchasing**

- All UK Red List and EC Black List pesticides are avoided.
- A suitably qualified advisor, i.e. Basic Certificate of Competence – Certificate in Crop Protection “Amenity” or the equivalent in agriculture, has been contacted. (Please note that many commonly available ‘amateur’ pesticides do not require an NPTC Certificate of Competence for use or storage but still contain harmful ingredients.)
- All contractors and their employees hold a Certificate of Competence as required under the Control of Pesticide Regulation 1986.
- The chemicals Atrazine and Simazine are not specified. These active ingredients are now banned from Local Authority use. If in doubt, seek advice!
- All users of these products must hold a Certificate of Competence as required under the Control of Pesticides Regulations 1986 (as amended)
- All pesticides must be COSHH assessed (Control of Substances Hazardous to Health Regulations 1999)
- All products must be listed within the current UK Pesticide guide (see Pesticide Safety Directorate website: [www.pesticides.gov.uk](http://www.pesticides.gov.uk)).
- Specify non-residual products
- Specify species specific products where available
- Specify products from suppliers who operate a filling/ disposal service for empty containers
- Specify treated timber which has a Treatment Certificate
- Avoid UK Red List and EC Black list substances
- Avoid wood preservatives containing lindane, pentachlorophenol or tributyltin oxide

### **Plastic Products**

#### **Purchasing**

- Reduce the specification of plastic products
- Wherever possible, products must contain a percentage of recycled plastic
- Goods such as waste bins and refuse sacks to be made from 100% recycled plastic
- Recycled plastic play equipment and street furniture unless it conflicts with the area in which it is placed.
- Marker posts, bollards, road cones and signage to be made from recycled plastic.
- Avoid plastic products, where there is a more environmentally friendly option available e.g. recycled lever arch files should be purchased, rather than PVC covered files
- Avoid plastic products with no recycled content
- Avoid disposable plastic products, e.g. cups, where longer lasting and reusable alternatives are available.

## **Asbestos**

There are three types of asbestos that are known to have been imported into use in the UK- white, blue and brown. Blue, brown and white asbestos are all prohibited in the UK.

## **Ozone Depleting Chemicals**

### **Examples**

Chlorofluorocarbons (CFCs) a Hydrochlorofluorocarbons (HCFCs)b Halonsa Methyl Bromideb  
1,1,1 trichloroethane

### **Uses**

- Aerosol propellants; refrigeration and cooling systems; polystyrene, foam and insulation materials; and for dry cleaning solvents used in refrigerants, foam, solvents and fire extinguishers used in fire extinguishers pesticide used to kill soil pests solvent in degreasing agents, adhesives and correction fluids.
- The Chemicals (Hazard and Packaging for Supply) Regulations 1994 include a range of symbols and risk phrases that include identifying a substance 'Dangerous to the Environment'.

## **Vehicles and Plant**

The operation of this fleet has a significant impact on the local environment. Air pollution is one of the major impacts associated with transport and vehicle emissions are a fast growing source of local air pollution. Exhaust emissions contain unburnt hydrocarbons and oxides of nitrogen and carbon which contribute to global warming and acid rain. In addition to this some chemicals are directly poisonous and can be linked to asthma and cancer. The Council encourages the conversion of the shuttle bus to LPG. There are a variety of competing opinions concerning 'environmentally friendly' fuels, and the Council has changed fuel buying habits in accordance with prevailing views. Currently Council fuels are now all low sulphur based. In the future this may change as new fuels are available. LPG (liquefied petroleum gas) is already being adopted for some new vehicles in the fleet. In the future CNG (compressed natural gas) and fuel cells may become viable.

### **Tips for greener procurement**

When thinking about the purchase of new vehicles and plant consider the following:

- Is there an alternative other than using vehicles or plant? The main way to reduce vehicle emissions is to cut back on the number of journeys made.
- Could a cycle or pedal powered vehicle be used, for example delivery bikes, bike trailers? Some pedal powered vehicles can carry up to a quarter of a tonne.
- Specify the right vehicle/equipment for the task. Consider in environmental and economic terms the size, weight, engine capacity and fuel type. What is the smallest engine size suitable for the job? What are the most energy efficient models and fuels?



- Specify the latest exhaust abatement technology, such as Continuous Regenerating Trap (CRT) for diesel vehicles.  
The use to which the vehicle will be put. To avoid premature replacement, the vehicle needs to be suitable for the purpose it is intended for i.e. is it suitably robust and reliable?
- The life expectancy and disposal. What materials have been used in the construction of vehicles/equipment, to what extent can they be recycled?
- Financial implication. Consider the whole life costs of vehicles/ equipment before a purchase is made. The purchase price may only be a fraction of the final cost; more energy efficient products last longer and cost less in the long term.
- The maintenance requirements. Vehicles need to be serviced regularly to ensure they are performing to their optimum efficiency. Spare parts and components will need to be readily available. Can recycled products be used such as retread tyres and re-refined oil?

### **Training**

As well as specifying the right vehicles/ equipment for the job, consideration should also be given to driver operation training and awareness. The most economical and environmentally friendly vehicle or plant will perform poorly if driven or operated aggressively. Training in fuel economy and emissions control will have cost saving benefits and lead to more environmentally aware drivers.

## **6.0 TIMBER PURCHASING POLICY**

Explanatory Notes/Guidelines addressing each policy clause are included below. Forest management can be environmentally appropriate and socially beneficial, but it can also be environmentally and socially damaging. This policy recognises the responsibility of this local authority as a consumer of forest products to ensure that we have a neutral if not positive effect on the world's forests.

The clauses of this policy are arranged in the order of preference for timber sources.

### **Policy**

1. This Council will give preference to contractors using timber and timber products from sources that have been independently certified by a credible, globally applicable forest certification scheme such as the Forest Stewardship Council (FSC) or equivalent.
2. If independently certified timber proves to be unavailable, contractors using suppliers that have adopted a formal environmental purchasing policy and can provide evidence of their commitment to it will be given preference. Alongside this, timber from a known source, with assurance and documented proof that the source forest is well managed will also be given preference. Documentation must be provided to prove that every attempt has been made to obtain certified sources before exploring alternatives. Flexibility in terms of species specification should be pursued.
3. Companies growing or using local timber will be given preference when timber from sources noted in 1 and 2 are unavailable. Where certified timber is available locally, source will also be taken into account. (See note 3)
4. All officers with responsibility for specifying timber will be required to inform consultants and contractors of this Timber Purchasing Policy, and a suitable method of monitoring contractor success in purchasing timber under this policy will be implemented. (See note 4).
5. This Council is committed to monitoring projects to ensure that certified timber is being used when the contractor has committed to this, and setting targets to increase the percentage of timber used in projects from sustainable sources. This policy will also be reviewed periodically in order to mirror changes in the availability of certified products.

### **Timber Purchasing Policy Guidance Notes**

**The Metropolitan Borough of Wirral is committed the sustainability principles of Local Agenda 21 and the economic use of natural resources. A Timber Purchasing Policy has been adopted as part of the Councils Environmental Management Policy. This action will also incorporate the objectives of the Corporate Environmental Management System, and the goal to become certified to ISO 14001 by 2004, of which procurement is an integral part.**

The following notes apply to the Timber Purchasing Policy:

- All timber products must be from independently certified, well-managed sources where feasible (if it is not deemed feasible the contractor must give a valid reason for this).

The following items are widely available as certified, and must without exception be certified. Contractors can be provided with a list of suppliers who can provide certified versions of these products.

- Plywood
- Construction grade Timber
- Softwood, hardwood and laminate flooring
- Exterior timber and cladding
- Finished interior timber such as skirting and doorframes

The **FSC** is a global certification body, and is widely recognised as the most independent and credible forest certification system. FSC is a non-profit making organisation, and has a board of directors elected from social, environmental and economic members, ensuring that all interest groups are represented. The items listed above are all available as FSC certified.

Certification schemes accredited by FSC also have a chain of custody in place. This means that timber is traceable at every stage in the supply chain, with certificates issued each time the wood passes from one stage in the chain to the next (e.g.: TRADA –Trak). As part of this purchasing policy contractors must ensure that the timber merchant has the relevant chain of custody (COC) number for the timber. If the timber merchant is not certified for COC the COC number for another wholesaler or importer supplying the merchant will be sufficient. This number can usually be found on invoices for the product.

If a COC is not available, other documented proof such as certification by another equivalent scheme that recognises sustainable forest management will be accepted. There are several European countries that have national certification schemes run on similar principles to FSC. Again documented proof of accreditation by these schemes is required.

1. Suppliers who are members of the Timber Trade Federations Forests Forever scheme will have in place an acceptable Environmental Policy, as will companies registered to ISO 14001 and members of the WWF 95+ Group. Documented proof of membership and registration will be required. Proof that an attempt has been made to obtain certified timber would be accepted in the form of copies of correspondence to suppliers or similar.
2. This authority recognises the importance of supporting the local economy, therefore locally grown timber will be given preference where certified timber is not available. Certain products may be available as both certified and locally grown, in which case proximity of source will be taken into account. Again documented proof will be required.
3. Guidance will be given to relevant officers as to the information they should provide to contractors working on, or proposing to tender for Council contracts. Contractors will also be given the relevant information in order for them to source certified products as part of the tendering process. All responses by bidding contractors with reference to this policy will be recorded by an appropriate member of staff.
4. In order that use of certified timber is monitored, contractors will be required to have documented proof of timber source on site for checking by the Clerk of Works.
5. Contractors are assured that bids will be judged on all the criteria in the specification. This policy is designed to aid us in improving our environmental performance through the competitive tender process.



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**Tropical Hardwoods (without independent certification)**

Any tropic hardwoods purchased for council works should be independently certified as coming from a sustainably managed forest. Examples of certification schemes include those operated by the Forest Stewardship Council (FSC), International Standards Organisation (ISO) and African Timber Organisation. Dust arising from machining of some tropical hardwoods has been identified as a potential carcinogen and should not be specified where less hazardous substitutes exist.

## **7.0 Suppliers and Contractors**

### **MBW Policy**

The Authority has a corporate objective within the Environmental Management System to use its position of responsibility within the Borough to encourage good environmental practice in local businesses.

#### **Purchasing Officers/Contracts Officers must:**

- Ensure that all potential suppliers and contractors are given a copy of any Council purchasing policies or procedures that are relevant.
- Assess the environmental management and performance of companies that apply to be on select lists.
- Specify clearly what is wanted. Environmental standards can be set as part of the specification. These should cover areas such as the use of recycled materials, energy efficiency, ability of the product to be recycled or reused.
- Ensure that any products excluded from use by WMBC policies are not included for use by contractors, e.g. certain pesticides, ozone depleting chemicals, tropical hardwood that is not certified as from a sustainable source.
- Work in partnership with suppliers and contractors to find alternative products and methods of working that will cause less harm to the environment.
- Reduce WMBC environmental impacts by arranging for used goods and their containers and packaging to be collected by the supplier as part of the contract.
- Many of us come into contact with suppliers and contractors as part of our daily work. Make sure that they are working to the same environmental standards as we are.
- Do not allow bad practice in terms of waste disposal, energy use or wastage of raw materials to go unchecked. It is the Council who will pay the price of any disregard for the environment, both financially and in the loss of credibility for our environmental management.

The above can be ascertained by use of the Supplier Questionnaire available on the Procurement Website.

Groundwork Wirral is helping to "green the supply chain" by offering a range of support to local organisations, including training and mentoring support. They are able to review SME's (small to medium enterprises), giving them an environmental "health check" and helping with the implementation of actions to improve environmental performance.

**More information and guidance is available on [Environmental Management webpage](#)**

## **8.0 Eliminating Waste**

### **WMBC Policy**

To make more efficient use of resources, particularly water, reducing consumption and waste.

To reduce the environmental impacts of the Authority's waste production.

### **Purchasing Officers/Contracts Officers must:**

- The most efficient approach is to use less. Purchasing less saves natural resources and money.
- Before purchasing think about what your objectives are. What are you trying to achieve? Think whether the purchase is really necessary. Can your objectives be met using existing supplies or equipment, perhaps using them in a different way?
- Have you considered repair, upgrade or refurbishment? Is there any redundant or under-utilised equipment or 'waste' elsewhere in the Council which you could make use of? Have you notified others about surplus equipment that may become available because of your purchase?
- If you need to make a purchase, think about what products are available. Have you over specified for the task in hand (a sledgehammer to crack a nut)? Are you ordering the right quantity?
- • Don't make a costly mistake by ordering the wrong thing! Is the product fit for the purpose? Can you order on approval? Have you considered a trial before placing an order for a large quantity?
- • Think about durability. Is the product covered by a long guarantee? Think about making a long guarantee or servicing agreement part of the specification.
- • Think about operating costs, including energy and water consumption.
- • Think about reducing the use of hazardous substances. Use of the least harmful materials will reduce risk and usually environmental impact.
- • If you are unhappy with excess packaging, or packaging that cannot be reused or recycled let the supplier know your dissatisfaction or feedback to the CPU.

### **Reuse**

Reuse or repair helps cut consumption. Make sure you consider reuse and repair before procurement. Look for products which:

- can be repaired
- can be upgraded
- come with clear maintenance instructions
- are supported with guaranteed stocks of readily available spares and components for future potential repair
- come in packaging which the supplier will take back for reuse, or can be reused or recycled

Try to find alternative uses for unwanted goods and 'waste'. For example:

- 'waste' single sided photocopies can be reused rather than ordering message pads
- cardboard boxes can be reused for storage containers



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- 'used' envelopes can be reused for internal circulation
- toner and ink cartridges can be refilled
- surplus office equipment and furniture is made available for reuse elsewhere in the Council
- Have you considered specifying a 'take back' agreement with the supplier to cut disposal costs?

### **Recycle**

Recycling can cut disposal costs, which will continue to rise as the landfill tax increases year on year. You can assist by both seeking recycled products, and recycling any waste.

- Specify and buy recycled products and those containing recycled materials thus helping to create a market for recyclable resources.
- Think about whether potential purchases can be recycled after use as this will help cut disposal costs. Many items can be recycled rather than thrown away, for example, office paper, printer and copier cartridges and fluorescent tubes are collected in most council offices.

## 9.0 Prohibited Products List

The following products should not be purchased, or used by contractors working for the Council, where an alternative product or method is available. Suppliers should be advised about these 'prohibited' products, they are listed on the procurement website:

[www.wirral.gov.uk/procurement](http://www.wirral.gov.uk/procurement).

In cases where an alternative product or method is not considered to be a suitable substitute to one on the prohibited list, the onus is on the specifier, supplier or contractor to provide supporting evidence, and seek approval for its use. Approval should be by Executive decision with consultees to include; Executive of Environmental Protection, Chair of the Environmental Performance Group, LA21 Co-ordinator, Chair of the Sustainable Procurement Group and Safety, Risk Manager.

### Pesticides using UK 'Red List' and EC 'Black List' substances

UK Red List	EC Black List
1. Mercury and its compounds	Mercury
2. Cadmium and its compounds	Cadmium
3. Gamma Hexachlorocyclohexane	Hexachlorocyclohexane
4. DDT	DDT
5. Pentchlorophenol	Pentchlorophenol
6. Hexachlorbenzene	Carbon tetrachloride
7. Hexachlorobutdiene	Aldrin
8. Aldrin	Dieldrin
9. Dieldrin	Endrin
10. Endrin	Isodrin
11. Isodrin	Hexachlorobenzene
12. Polychlorinated Biphenyls	Hexachlorobutdiene
13. Dichlorvos	Chloroform
14. Trichlorobenzene	Trichloroethylene
15. Altrazine	Tetrachloroethylene
16. Simazine	Trichlorobenzene
17. Tributyltin compounds	1,2-Dichloroethane
18. Triphenyltin compounds	
19. Trifluralin	
20. Fenitrothion	
21. Azinphos methyl	
22. Malathion	
23. Endosulfan	

### Trade Names

Arcton Freon, Isceon, R11, R12, FCC, Forane and Frigen; Arklone, Fulgene, Kaltron, Fluorisol, Genesolv, Delifrene. Isceon 69-S and 69-L, Suva HP80 and HP81, FX10 Suva MP39 and MP66. BCF, BTM, DTE

- A. production of controlled chemicals has now stopped through international agreement
- B. production limits, bans on certain uses, or phase outs have been agreed.

## 10.0 Labels and Standards

- Ethical and green purchasing is potentially big business, so beware of unsubstantiated or meaningless 'worthy' claims and marks used to sell products. If in any doubt about the products credentials ask the supplier to provide further information. Common unsubstantiated claims include:
  - 'Environmentally friendly' - Check how is it environmentally friendly? Does the claim relate to the products full life-cycle impacts or just one aspect?
  - 'Biodegradable' - Many things are biodegradable if left long enough! How long?
  - 'From managed forests' - All timber extracted from forest could be termed 'managed'. Are they
  - sustainably managed? Check for accredited forestry such as the Forest Stewardship Council (FSC)
  - Kinder to wildlife' How?  
Watch out for meaningless or misleading statements like 'contains no ...X' or 'X...free'. Often 'X' may have been banned, or may not be used in similar products, or may never have been used!

**The following list highlights some of the known labels and standards which may be helpful in choosing products with reduced impacts on the environment and people:**

### **Blue Angel**

The world's first eco-label from Germany created in 1977. Products carrying the label are approved by the Umweltbundesamt (German Environmental Protection Agency) with product groups scrutinised by an Eco-Label Jury. Products carrying the label are reviewed every 2 to 3 years. The label is made up of the environmental sign of the United Nations (Blue Angel) with the inscription 'Umwelzeichen' (environmental label) indicating environmental protection features of a product.

### **Climate Care**

The label indicates that the product contributes little or nothing to global warming. It indicates that a company has paid a small amount in relation to the amount of CO<sub>2</sub> they emit to fund projects such as renewable energy and reforestation that reduce emissions by the same amount, making the activity climate neutral.

### **EMAS (Eco-Management and Audit Scheme)**

A European Community sponsored environmental management scheme open to all kinds of organisations (businesses, public authorities, schools, non-profit organisations, etc.). Accredited organisations have been independently verified as fulfilling the requirements of the scheme relating to their policy towards management of environmental impacts. The scheme is similar to ISO14001 but requires some additional commitments including the production of a satisfactory public environmental statement.

**Energy Star**

An American trademark label scheme sponsored by the US Department of Energy and Environment Protection Agency used to promote more energy efficient products.

**Environmental Choice**

Canada's Ecolabel established in 1988. Manufacturers must meet widely endorsed guidelines before being granted a license to use the label. This license is reviewed annually. The symbol is based on a Maple leaf comprised of three doves.

**European Union Eco-Label**

A voluntary scheme enabling European consumers to easily identify officially approved green products across Europe. It was introduced in 1993 and award of the label is based on an assessment of environmental burden of products over their complete life cycle. It allows manufacturers to show and communicate that their products respect the environment. The symbol is a stylised flower with the EU's stars and a letter 'E' as the flower's head.

**European Energy Label**

A European Community labelling scheme for household appliances. The scheme is currently compulsory for sales or hire of fridges, freezers, washing machines, washer dryers and tumble dryers. The label includes a coloured indication scale ranging from 'A' (green) most efficient to G (red), least efficient. It also shows the estimated energy consumption in kilowatt hours per year in figures, and may include a noise rating.

**Fairtrade**

The Fairtrade mark is an ethical labelling scheme operated by the charity Fairtrade Foundation. Products must meet a strict set of criteria relating to fair wages, minimum health and safety standards, fair prices paid to producers, a long term trading commitment and good environmental standards. A variety of products are available meeting Fairtrade standards including tea, coffee, chocolate and cocoa. The mark is based on 2 interlocked 'F's above the subtitle 'Fairtrade'. Wirral have ambitions to become a Fairtrade Borough by March 2005.

**Forest Stewardship Council (FSC) Standard**

An independent not for profit organisation comprised of various interest groups including those representing environmental, timber, forest product and indigenous peoples groups. FSC sets forest management standards and accredits independent certification bodies which carry out forest management certification and monitor the supply chain. Their labelling scheme assures consumers that timber and wood products come from these forests.

**Green Seal**

A mark of approval from American non-profit environmental labelling organisation called Green Seal. Environmental standards for products are set based on a public review process, involving public private and voluntary sector interests. Products are certified using these standards. The circular mark includes the words 'Green Seal' above a tick.

**ISO 14001**

An environmental management system from the International Standards Organisation. Organisations which are ISO14001 approved have been independently certified as meeting the standard which relates to how organisations manage their environmental impacts.

**Marine Stewardship Council (MSC) –**

An independent, global, non-profit organisation founded in 1997 by Unilever and WWF (the international conservation organisation). The MSC uses an eco-label to reward environmentally responsible fishery management and practices. To gain certification, fisheries must meet the MSCs environmental standard, which is based on the FAO Code of Conduct for Responsible Fisheries. The logo is a distinctive blue roundel enclosing a 'fish tick' symbol and the text 'Marine Stewardship Council'.

**The National Association of Paper Merchants (NAPM)**

([www.napm.org.uk/info](http://www.napm.org.uk/info)) offers certification to all branded papers and boards which comply with its definition of recycled paper. The scheme was launched in 1990. To be awarded the mark the paper or board must be made from a minimum of 5% genuine post consumer waste paper or board. Genuine waste is defined as:

- Converted waste – paper which has left the mill and has become waste during a converting process such as cutting to make a commercial order.
- Printers' waste – printed or unprinted waste collected from a printing operation.  
Domestic or office waste collected from homes and offices. Under NO circumstances can mill broke (waste that has never left the paper mill) contribute to genuine waste.

**Useful Contacts:**

If you are concerned about misleading product claims: contact Trading Standards

If you need advice on the use of hazardous substances, or the implementation of labels contact: the Corporate Health, Safety & Hazards Manager on 0151 606 2071.

If you are concerned about the clarity, quality or accuracy of the labelling of such products: contact Trading Standards on 0151 691 8020.

## **11.0 Contract & Legal Issues**

### **Award Criteria**

In the UK, each Local Authority can decide on their own technical criteria when allocating contracts, including the amount of emphasis placed on environmental criteria. Environmental considerations are legitimate for all contracts providing that:

- They apply equally to all suppliers and contractors.
- Competition is not distorted or restricted.
- Brand names are not specified.
- Specifications do not refer to matters outside the contract.

### **Best value**

The Council has a duty to tax payers to ensure best value for money, and the contract should be awarded to the most economically advantageous. However, the cheapest may not necessarily be the best option, quality could be poor and running costs may be high. In some cases, a product that has a reduced impact on the environment may initially be more expensive but could cost less in the long term if the full life-cycle cost is taken into account.

### **Specifying for greener products**

Brand names should be avoided when specifying for “greener” products, instead specify what the product does or refer to generic product types or ingredients. To prevent competition becoming restricted, competitive quotes must be obtained for the same type of product. All contractors and suppliers should have access to the specifications in advance of the tender procedures so they can price their goods and services accordingly.

### **Contract compliance**

When awarding contracts, “non-commercial” matters should not be taken into consideration. Therefore the Council only has control over the goods and services that are contracted and cannot expect suppliers to abide by Council specifications and policies in work carried out for other clients.

### **Misconduct**

If a supplier or contractor has been convicted of an offence of professional misconduct, according to the Public Procurement Directives, they can be eliminated from the tender procedures. Contractors and suppliers should comply with all environmental legislation; non-compliance qualifies as professional misconduct, and can result in exclusion from tender procedures, or a contract being terminated.

### **Working with suppliers and contractors**

Whilst it is important that environmental considerations do not make it unreasonably difficult for outside contractors to bid for contracts, it should be recognised that the Council can encourage suppliers and contractors to consider their own environmental performance.

***Where possible:***

- Ensure all potential suppliers and contractors have a copy of the purchasing guide.
- Specify clearly what is wanted and ensure all appropriate legislation is addressed.
- Use environmental performance as part of the evaluation for suppliers and contractors. What steps are they taking to reduce their impact on the environment?
- Ask suppliers if there are alternative products which have less impact on the environment.
- Ensure that substances banned by the Council are not used by contractors and that contractors using hazardous substances have carried out a COSHH Assessment.
- Review environmental specifications before a contract is reissued.
- Ensure suppliers have completed a Supplier questionnaire

**Contract Clauses**

Under Metropolitan Borough of Wirral Contract Procedure Rules Standard Conditions of Contract, the following clauses must be included.

**ENVIRONMENTAL ISSUES**

1. The Council expects that all contractors for the supply of goods and services will uphold the principles of sustainable development and comply with all environmental legislation, to include but not be limited to the Environmental Protection Act 1990.
2. The Council reserves the right to terminate any contract where a contractor is found to be in direct contravention of such principles and legislation.
3. The Council maintains a list of prohibited environmentally damaging products which should not be used by contractors unless by prior agreement with the Council. Copies of the list of prohibited products are available upon request.

**EQUAL OPPORTUNITIES**

The Supplier shall:

- At all times provide the service in accordance with the council's commitment to equal access to services for all sections of the community.
- Make sure that no section of the community is denied access or receive a poorer service on the grounds of race, gender or disability.
- Establish adequate managerial and supervisory arrangements for staff to be made aware of and to comply with the council's service delivery objectives.

- Ensure that sufficient, instructed and competent staff are available to provide services to all sections of the community including those who do not speak English.
- If required, attend regular meetings with equal opportunities staff and local community groups to discuss the service and improvements to it.
- Provide any information regarding the delivery of services to ensure the council meets its statutory obligations under section 71 of the Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000.
- Support and co-operate with council initiatives aimed at improving services (and/ or access to services) to different groups in the community.

## **12.0 Common Questions on Environmental Purchasing**

Most people would like to be 'greener' consumers, but are often worried by issues such as cost, quality, legal requirements and misleading 'green' claims about a product.

Here are answers to some common questions:

***Q: Don't 'green' products cost more?***

There can be significant cost savings from taking an environmentally aware approach to purchasing. 'Green' products are often more energy efficient, and cost less in the long-term. If you take the full 'life-cycle' cost it is often better to pay slightly more initially to secure the long-term financial benefits. There is a rapidly growing market for environmentally sensitive products, and costs are falling as a result. For example, recycled paper now costs the same or less than virgin paper. As a large consumer the Metropolitan Borough of Wirral can lead the market for 'greener' products and benefit from the reduced prices. Buying 'green' also means buying less. There are a number of ways of reducing consumption of new products. You could repair or re-use existing equipment (e.g. office furniture), specify more durable and re-usable items (e.g. rechargeable batteries, long-life/low-energy light bulbs) or change working practices to reduce the need for goods.

***Q: I'm concerned about the quality and performance of 'green' products. How can I be sure that these products will work?***

It is important that all products perform satisfactorily. Quality remains a key consideration in the purchase and specification of products. There have been substantial improvements in 'green' technology and many excellent and effective alternatives are available. It is also worth re-examining our quality thresholds. Do we really need to use glossy paper, do our cleansing materials need artificial perfumes?

***Q: Many manufacturers make claims and counter claims about the 'green credentials' of their products. How do I know which products are the least damaging to the environment?***

All products have an effect on the environment in some way, but some cause less damage than others. The best way to assess a product is through a 'life-cycle analysis' of its impact on the environment, i.e. at the production, distribution, consumption and disposal stages. There are agreed and certified standards for many products.

***Q: Can the Council impose environmental conditions on contractors?***

Wirral Borough Council going for ISO14001 in 2004, an environmental management system and expects its contractors to adopt similar environmental standards. It is perfectly legal to include environmental conditions in a contract to provide a service to the Council so long as they meet these conditions:

- They apply equally to all potential contractors;
- They are not anti-competitive: that is, they do not make it unreasonably difficult for outside contractors to bid for contracts;
- They do not specify brand products (they should refer to generic product types or ingredients);

- They do not refer to 'non-commercial' matters. These concern issues such as the country of origin of the contractor and their political affiliations.

***Q: Can the Council impose environmental conditions on suppliers?***

It is perfectly legal to include environmental considerations in the specification of the goods and products we want from suppliers. The same conditions as for selecting contractors apply. The Council can specify and purchase products to exacting environmental standards so long as we obtain value for money and the quality of the products is satisfactory. We can also ask suppliers what steps they are taking to reduce the environmental impact of their products and indicate the sort of goods we would like to buy in the future. This will encourage suppliers to develop their own environmental policies.