



Record of Officer's Decision

The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date of Decision:	1 st August 2023
Decision Maker (Officer):	Darren O'Neill; Waste and Recycling Officer
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	Part 3, Schedule 3 – Responsibility for Executive Functions delegated to Officers paragraph 4.3 (1) – the Corporate Director has delegated authority to discharge executive functions within their respective service areas (Part 3.38). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4(ii) – Part 3.39). The Corporate Director; Damian Williams has delegated operational matters relating to the Abandoned Vehicle contract, which includes the removal, storage and/or disposal of all abandoned vehicles within the Tendring area to the Waste and Recycling Officer.
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Cllr Mike Bush.
Ward Member(s) consulted?	No
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	To award the abandoned vehicle contract to Tendring Recycling for a period of 3 calendar years commencing on the 10 th July 2023 and ending on 09 th July 2026 with the option to extend for an additional 2 years.

Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	The local authority has a duty under the Refuse Disposal (Amenity) Act 1978 to remove any vehicle abandoned on land in the open air or land part of a highway. These include vehicles that have been in situ for prolonged periods, causing obstructions or causing a danger to public safety. Following the procurement process conducted in accordance with Essex County Councils guidelines, 5 companies were selected and given the option to submit RFQs (Request for Quotations) for the above contract. Only 2 RFQs were received by the authority and these were scored as detailed below. This was broken down into two parts and scored accordingly. 80% of the score awarded for price and 20% awarded for information included in a method statement, this included outlining removal timeframes, operating hours, equipment available (including all vehicles) and storage capabilities. Following the scoring process Tendring Recycling were the successful bidder.
Highlight any associated risks/finance/legal/equality considerations:	TDC will continue to receive income from each vehicle disposed of by the contractor. There is no cost pressure associated with this contract. The authority has a statutory requirement to remove and dispose of abandoned vehicles within the district. Failure to appoint a contractor may result in abandoned vehicles remaining in situ for prolonged periods, causing obstructions and danger to public safety.
Details of any Alternative Options Considered and rejected (together with reasons):	Failure to offer Tendring Recycling the contract will require the contract award to be offered to another bidder, or returning to the market to request additional RFQ bids. Value for money sits with Tendring Recycling following the scoring process. Failure to offer the contract to either tenders will result in no contract being in place for a service we are statutorily required to provide.
Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)	N/A

If relevant, a note of the dispensation granted by the Monitoring Officer:			
Reason Decision, or supporting Report, is not published: <i>Tick one or more of the specific exemptions,</i> <u>and</u> <i>Give more information in the final box with regards to why the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i>	x	Not applicable – Decision [and report] to be published	
		If Report is not to be published – tick one of the following boxes:	
			The report supporting the Decision contains confidential information
			The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:
			• Relates to an individual
			• Likely to reveal the identity of an individual
			• Relating to financial or business affairs of a person or organisation
			• Relates to a claim for legal professional privilege in legal proceedings
			• Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment
			• Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
<u>And</u> is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information Reasons:			

Officers

Signed:



Jonathan Hamlet

Title: Street Scene Manager

Signed:



Tim R Clarke

Title: Assistant Director, Housing and Environment

Signed:



Damian Williams

Title: Corporate Director, Operations and Delivery

In consultation with:

Signed:



Councillor Mike Bush

Portfolio Holder for Environment

Dated:

8/8/2023