

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:	12 December 2024
Decision Maker (Officer):	Kieran Charles, Sport and Leisure Operations Manager
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). In terms of procurement, Para 4.3.8 Part 5.77, sets out the associated Officer delegation in consultation with the relevant Portfolio Holder.
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Cllr P Kotz, Portfolio Holder for Assets
Ward Member(s) consulted?	No
Is it a Key Decision?	No
Is it subject to call-in?	No
Decision Made:	To extend the contract for the Heating Oil Class D supply contract with Rix Petroleum (Hull) Ltd and the Kerosene contract to Certas Energy UK Ltd, in accordance with the associated ESPO Framework Agreement until 17 August 2026.
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	Tendring District Council (TDC) has purchased their liquid fuels, Heating Oil, via a framework that ESPO tender (based on regions of which we are included in the Eastern Region award). The existing contract ended on 17 August 2024.

	Heating Oil is purchased for the following Council buildings: • Jaywick Enterprise Centre- Kerosene • Clacton Leisure Centre – Heating Oil A new ESPO framework had been awarded to enable the Council to continue to purchase its fuel oils within this wider regional framework approach. The initial decision Award of Contract for the Supply of Fuel Oils (https://tdc-mgov-prd-01.tendringdc.gov.uk/ieDecisionDetails.aspx?ID=10036) commenced on the 1 October 2022 and was in place until 17 August 2024, with the option to extend to 17 August 2026. Prices are quoted by various suppliers on the ESPO Framework, so it is a straightforward process to identify the supplier offering the most competitive prices for the two fuels we purchase as highlighted above. As such, this decision is to extent the contract until 17 August 2026. The ESPO framework and its costs were reviewed as part of this decision and both suppliers continue to provide value for money. The prices quoted are ‘margin’ prices over the current market price along with a small load premium that reflects the quantity of fuel oil purchased at any one time.
Highlight any associated risks/finance/legal/equality considerations:	In order to demonstrate value for money, a price comparison was undertaken using the prices quoted within the framework agreement. Based on the ‘margin’ prices quoted and the small load premium, it is proposed to extend the contracts as follows: • Heating Oil Class D – Rix Petroleum (Hull) Ltd continue to demonstrate the most competitive overall price based on the Council’s existing fuel oil requirements. • Kerosene - Certas Energy UK Ltd demonstrate the most competitive overall price based on the Council’s existing fuel requirements.

	It is proposed to extend the contract until 17 August 2026 to the aforementioned suppliers using the associated ESPO Framework Agreement.	
Details of any Alternative Options Considered and rejected (together with reasons):	Please see above.	
Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision) If relevant, a note of the dispensation granted by the Monitoring Officer:	N/A	
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>	☐	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: N/A
--	---

Officer

Signed: K. Charles

Title: Sport & Leisure Operations Manager

In consultation with:

Signed:

Portfolio Holder for Assets

Dated: