

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:	10 July 2025
Decision Maker (Officer):	Kieran Charles – Head of Sport & Leisure
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	<p>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).</p> <p>Deputy Chief Executive & Corporate Director, Place and Wellbeing, has delegated operational matters relating to Pool Chemical Procurement to the Head of Sport & Leisure.</p> <p>Under the delegation the below point within the procurement rules, is being applied:</p> <p>(g) Where a partnership arrangement has been entered into with a contractor or a supplier as a result of competitive tendering, and the proposed procurement is within or related to the documented scope of that partnership arrangement. In such cases the Corporate Director/Head of Department must be able to demonstrate that the proposed procurement through such a partnership arrangement is advantageous to the Council (for example, continuity of service or product supply, or extension of existing arrangements). The documentation will be issued will take the form of a contract variation as determined in the partnership contract and/or via the Official Ordering rules or if appropriate the documentation to be issued will be as required by the Procurement Procedure Rules for the value of the procurement. (EU limits must be observed to ensure no thresholds are exceeded).</p>
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Cllr Barry
Ward Member(s) consulted?	N/A
Is it a Key Decision?	No

Is it subject to call-in?	No
Decision Made:	<p>To extend Complete Pools' existing contract to supply pool chemicals for Tendring District Council (TDC) under the ESPO framework under a contract variation. Costs will be met from dedicated revenue accounts and are estimated at £21,000, (this is based on a need and demand, and this figure is based on 24/25 budget spend). The contract will then be reprocured after this period.</p> <p>This extension will ensure continuity of service across all relevant leisure sites and maintain compliance with health and safety standards for water treatment. The contract extension is proposed for a 12-month period, covering operations from May 2025 through to April 2026.</p>
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	<p>The existing contract with Complete Pools expired on the 23rd April 2025 after a 2-year contract. The contract allows for a 12-month extension, which remains a viable option.</p> <p>Due to the contract having already expired, it is essential that we take immediate steps to extend the current agreement to ensure continuity of service. This extension would cover the interim period from May to July, and then continue through to April 2026, allowing sufficient time to plan and execute a full mini competition without compromising operational delivery.</p> <p>Given the current lack of internal capacity to undertake a full procurement process and the critical nature of maintaining chemical supply for pool operations, it is therefore recommended that the contract with Complete Pools be extended under the existing terms. It should be noted that the current costs for the chemicals under the contract terms will also remain unless changed by ESPO.</p>
Highlight any associated risks/finance/legal/equality considerations:	<p>Choosing not to extend the contract with Complete Pools may lead to disruptions in the supply of essential pool chemicals, which are critical for maintaining safe and operational swimming facilities. This poses several significant risks:</p> <ul style="list-style-type: none"> • Operational Disruption: A shortage of chemicals could result in temporary pool closures, directly affecting service delivery across sites. • Financial Impact: Reduced pool availability may lead to a loss of income from admissions, memberships, and bookings. • Reputational Risk: Interruptions in service could damage public trust and confidence in the council's ability to manage leisure facilities effectively, particularly during peak usage periods. • Health and Safety Concerns: Inadequate chemical treatment could compromise water quality, increasing the risk of non-compliance with health regulations.

Details of any Alternative Options Considered and rejected (together with reasons):	Not to extend Complete Pools contract and re-procure the services. This would be best value and delivery because: <ul style="list-style-type: none"> • Alternative suppliers, while available, may present even higher costings, as the framework was refreshed 14/05/2024 offering limited relief from the current financial pressures. • The time taken to re-procure the service would be longer than implementing the pre-existing one-year extension to the current contract, which is critical to running the swimming pools. 	
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 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:
		<ul style="list-style-type: none"> • Relates to an individual
		<ul style="list-style-type: none"> • Likely to reveal the identity of an individual
		<ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation
		<ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings
		<ul style="list-style-type: none"> • 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
		<ul style="list-style-type: none"> • Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
And 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: [insert]		

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Officers

Signed: Title: Head of Sport & Leisure

Signed: Title:

In consultation with:

Signed: **Portfolio Holder for Leisure & Public Realm**

Signed: **Section 151 Officer (if required)**

Signed: **Monitoring Officer (if required)**

Dated: