

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:	18 September 2025
Decision Maker (Officer):	Ian Davidson, Chief Executive 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).
Identify which Portfolio Holder(s)/Committee Chairman consulted?	N/A
Ward Member(s) consulted?	N/A
Is it a Key Decision?	Yes
Is it subject to call-in?	No
Decision Made:	A) Tendring District Council to enter into call-off contracts with Alliance Disposables Ltd., Nationwide Hygiene Supplies Ltd., and Bunzl UK Ltd under the EPP0006 Cleaning and Hygiene Supplies Framework Agreement, Lot 1, to secure janitorial products and services across the district. B) The use of revenue budgets for this procurement is aligned with the financial planning and governance framework of Tendring District Council. Specifically, the expenditure will be drawn from the approved Revenue Budget as set out in the General Fund Budget and Council

	Tax report, which was formally adopted by Full Council during the budget-setting process.
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	The current contracts for cleaning supplies have expired, prompting the need for a new procurement solution. As a result, Braintree District Council, through the Essex Procurement Partnership, established the EPP0006 Cleaning and Hygiene Supplies Framework, under which new call-off contracts can be awarded to selected suppliers. This framework ensures continuity of service, value for money and compliance with procurement regulations, while enabling the Council to source essential janitorial products efficiently across its facilities.
Highlight any associated risks/finance/legal/equality considerations:	The appointment under the framework agreement carries several associated considerations. Financially the contract estimated spend is £306,000 (across the service areas of Leisure, Public Realm and Facilities Management) over four years, with fixed framework pricing ensuring budget predictability and value for money. Legally, the use of the framework agreement established through a compliant procurement process mitigates risks of challenge under public procurement regulations, while the contract includes robust clauses on data protection, anti-bribery, and dispute resolution. Equality considerations are addressed through non-discrimination clauses requiring the supplier to comply with all relevant legislation and ensure fair treatment across race, gender, disability, and other protected characteristics. Risks include potential performance failures, which are mitigated through detailed KPIs and escalation procedures; persistent underperformance may be deemed a material breach, allowing for contract termination. Overall, the framework route offers a legally sound, financially controlled, and operationally monitored procurement solution.
NEW: Details of Local Government Reorganisation and/or Devolution considerations	The cleaning supplies contracts that can be awarded under the EPP0006 Cleaning and Hygiene Supplies Framework are structured to accommodate potential changes arising from local government reorganisation or devolution. Specifically, the framework allows for the assignment, novation, or disposal of contractual rights and obligations to other contracting authorities, statutory bodies, or private sector entities that may assume the functions of Tendring District Council in the future. This ensures continuity of service and legal compliance should responsibilities shift due to

	structural changes in governance. The framework's flexibility reflects a proactive approach to managing public procurement within a dynamic local government landscape, safeguarding operational resilience and service delivery across the district.	
Details of any Alternative Options Considered and rejected (together with reasons):	In considering the procurement of cleaning and hygiene supplies, Essex Procurement Partnership and Tendring District Council evaluated alternative options including conducting an open tender or not procuring via the framework agreement. However, these options were rejected in favour of using the existing framework agreement (EPP0006, Lot 1), which had already undergone a compliant and competitive procurement process by Braintree District Council as the contracting authority. The framework provided a pre-approved list of suppliers and allowed for direct award without the need for a mini competition, thereby significantly reducing procurement time and administrative burden. The Council determined that the framework ensured value for money through fixed pricing mechanisms, robust performance standards, and environmental and health and safety compliance, all of which were embedded in the call-off terms. As such, the decision to appoint Alliance was based on the supplier's readiness, operational fit, and the efficiency and compliance benefits of the framework route, making alternative procurement routes less favourable.	
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>	☐	✓ Not applicable – Decision to be published -
	☐	
	☐	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:

<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>		• 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		

Officers

Signed: I DAVIDSON

Title: Chief Executive Officer

Signed:

Title:

In consultation with:

Signed:

Signed: N/A

Section 151 Officer (if required)

Signed: N/A

Monitoring Officer (if required)

Dated: 18 September 2025