

Rother District Council

Report to	-	Council
Date	-	26 February 2024
Report of the	-	Chief Executive
Subject	-	Decisions taken as a matter of urgency at Cabinet Meetings

The Council is asked to receive the report of Cabinet, in accordance with paragraph 17 (a) of the Overview and Scrutiny Procedure Rules on a decision taken as a matter of urgency at its meeting held on 11 December 2023.

CABINET – 11 December 2023

CB23/56. ROTHER DISTRICT COUNCIL PUBLIC CONVENIENCES CLEANING CONTRACT 2024

The current public conveniences (PC) (non-statutory service) cleansing contract had been in operation for over 20 years and was scheduled to end on 31 March 2024. There was no option to extend, therefore a new contract was required. A competitive tender exercise would need to commence as soon as possible to complete the procurement process for a new three-year (plus two-year, plus a further one year extension period) with six-month break clause period contract in time for service mobilisation by the end of February 2024. This would be processed through the East Sussex Procurement Hub and the new contract would commence on 1 April 2024. The report detailed the procurement timelines, as well as the contract specification which was attached at Appendix A to the report.

The contract was being offered in four lots as follows, namely Lot 1: Bexhill PCs; Lot 2: Battle PC; Lot 3: Rye PCs; and Lot 4 Camber PCs. Members welcomed the Lot-based approach as this might attract smaller, geographical closer business operators to bid, which would improve service responsiveness.

To alleviate pressure on the Council's finances, the number of PCs (27 down to 15) that were open to the public had been closed on a trial basis and it was hoped that the public would be responding to the Council's current budget consultation which sought views on PC provision. Some of the facilities were ageing, required refurbishment and repair, and suffered from regular vandalism. In future, to deliver a sustainable service, it was hoped that full responsibility of many of the PCs would be devolved to the relevant Parish and Town Councils or local community groups; it was noted that it was not just about the cleaning of the toilets, but maintenance / repairs etc. and all options would be considered and explored.

It was noted that although the contract was being offered based on the 15 toilets that were currently open, this did not mean that those currently

closed, on a trial basis, would remain closed. The contract would be flexible to accommodate any variations, including an increase in the number of PCs in the contract.

It was emphasised that in making the contract flexible, and including a break clause, may deter potential contractors from bidding and so risk not having a contract in place. It was therefore noted that the length of the contract may need to be shortened and the break clause removed to mitigate this risk.

It was difficult to determine the cost of a new contract (current contract for 2023/2024 was approximately £273,000), particularly regarding inflationary increases etc. Therefore, it was anticipated that the new contract would be more expensive.

Delegated authority was granted to the Director – Place and Climate Change to appoint a new PC cleansing contract from 1 April 2024, once relevant procurement procedures had been completed. Cabinet agreed that prior to devolution opportunities, it was essential that PCs were accessible and kept in a clean and tidy condition.

RESOLVED: That the Director – Place and Climate Change be granted delegated authority to appoint a new public convenience cleansing contractor from 1 April 2024, once relevant procurement procedures have been completed.

(The Chair of Council had agreed that this decision could be taken as a matter of urgency to enable the Council to commence the tender process without delay and meet the tight timescales).

(Cabinet Agenda Item 11)

Lorna Ford
Chief Executive