



EXECUTIVE MEMBER DECISION

REPORT OF: Executive Member for Environmental Services

LEAD OFFICERS: Director of Environment and Operations

DATE: 15th November 2019

PORTFOLIO/S AFFECTED: Environmental Services

WARD/S AFFECTED: All

SUBJECT: Award of the Contract for the Litter and Dog Fouling Enforcement Service

1. EXECUTIVE SUMMARY

To advise the Executive Member of the activity undertaken in relation to a new contract for the Council's Dog Fouling and Litter Enforcement Service.

2. RECOMMENDATIONS

That the Executive Member:

Approves the award of the contract for the Litter and Dog Fouling Enforcement Service to the highest scoring bidder for a period of 1 year, with the Council having the option to extend for a further period of up to 3 years on a yearly basis.

3. BACKGROUND

In 2017 the Council took the decision to tender for the delivery of a Dog Fouling and Litter Enforcement Service. The service allowed a viable litter and dog fouling enforcement team to be put in place at zero net cost to the Council. Initially run as a 12 month trial, the contract was extended for a further 12 months. The current contractor, Local Authority Support Ltd (formerly known as Kingdom Environmental Services Ltd) has issued over 8000 fixed penalty notices for littering, dog fouling, dog control and Smoke-Free England offences and delivered prosecution files which have led to successful prosecutions of around 2000 individuals who did not pay their fixed penalty notice.

The Service has proved to be successful in providing a viable enforcement service at zero net cost to the Council, and in raising the profile of the individual's responsibility for managing their own waste. The current contractor has performed their duty diligently and effectively, and it has been decided to retender the contract with some small changes which reflect lessons learned over the previous two years.

4. KEY ISSUES & RISKS

Following soft market testing earlier this year, an OJEU tender process was undertaken on The Chest procurement system. The invitation to tender (ITT) asked each bidder to respond to 7 method statements and a social value question concerning the delivery of the service and related matters.

Two bids were received, and were evaluated against a scoring matrix by officers from Public Protection and Procurement.

Once tenderers had satisfied the mandatory financial, company information, technical, equal opportunities and health and safety elements of the application, their application was considered against a scoring matrix which covered the following areas:

- Covering Council costs
- Service delivery model
- Behaviour change and contribution to wider programmes
- Process relating to complaints and representations
- Provision of management data
- Staffing
- Data protection
- Social value

All evaluation panel members scored each tender independently, and then moderation took place to ensure that interpretation of technical matters was sound. The results were as follows:

Bidder	Bidder A	Bidder B
Overall Score	63.75	71.25

It is therefore recommended that the Council awards the contract to Bidder B who had the highest overall score.

The contract is due to commence on 1st January 2020. The Service will appear almost identical to the present one.

Contractor's staff will be embedded within the Public Protection Service as before. The contract requires the contractor to provide a wide variety of information on a regular basis, and this will be used to monitor performance against the contract.

5. POLICY IMPLICATIONS

The procurement of this service contributes to the following Corporate Priorities:

- Priority 5 – Safe and Clean Environment
- Priority 7 – Supporting our Town Centres and Businesses
- Priority 8 – Transparent and Effective Organisation

6. FINANCIAL IMPLICATIONS

The net cost to the Council should be zero.

7. LEGAL IMPLICATIONS

The proposed arrangement is compliant with the Public Contracts Regulations and the Council's Contract procurement Rules.

Enforcement activity will take place in accordance with the Council's Enforcement Policy.

8. RESOURCE IMPLICATIONS

None. The contract will be managed as previously, with existing staff.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

Soft market testing took place with a number of potential bidders taking part prior to the tender being put on the CHEST.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

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CONTACT OFFICER:	Gary Johnston
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DATE:	9 th December 2019
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BACKGROUND PAPER:	None
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