

## RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY

### \*PART 1 – PUBLIC DOCUMENT

#### SERVICE DIRECTORATE: REGULATORY

#### 1. DECISION TAKEN

The award of the contract for the collection and kennelling of stray dogs to SDK Environmental Limited for three years from 1<sup>st</sup> November 2020 to 31<sup>st</sup> October 2023. The contract value being £89,400.

#### 2. DECISION TAKER

2.1 Ian Fullstone, Service Director – Regulatory

#### 3. DATE DECISION TAKEN:

3.1 15 October 2020

#### 4. REASON FOR DECISION

4.1 The Council carried out a quotation exercise through In-Tend. There were expressions of interest from five suppliers but only one quote from the Council's existing supplier was received. The bidder's quotation has passed the quality requirements set by the Council and Officers are satisfied that the price quoted is in line with market rates.

#### 5. ALTERNATIVE OPTIONS CONSIDERED

5.1 To repeat the procurement process, however it is considered that the process was successful given five expressions of interest were received and SDK Environmental Limited submitted a quotation which met the requirements. Furthermore, the bidder's quotation has passed the quality requirements set by the Council and Officers are satisfied that the price quoted is in line with market rates. The current contract for this service ends on 31<sup>st</sup> October 2020.

5.2 Operate the service in-house, this was not recommended given the increase in revenue and capital costs required. Collection of stray dogs over a 24-hour period throughout the year would require a number of trained officers and suitable vehicles. This level of resource is not currently available in house. The contract also includes the maintenance of the stray dog register and re-homing of unclaimed dogs. The maintenance of this statutory record and rehoming would require additional resource.

#### 6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)

6.1 The Executive Member for Housing and Environmental Health, Cllr Gary Grindal has been consulted and is supportive of this decision.

#### 7. FORWARD PLAN

7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

## **8. BACKGROUND/ RELEVANT CONSIDERATIONS**

- 8.1 The Council entered into a three year contract with SDK Environmental Limited in November 2015 at a cost of £20,402.50 per annum. This service included collection and kennelling of stray dogs 365 days a year, the collection of fees from owners and the re- homing of dogs not collected. At the end of the three years the contract was extended for a further two years.
- 8.2 In order to operate the service a contractor must have access to a licensed kennel willing to take stray dogs. To ensure the welfare of the dogs and allow members of the public to collect their dogs the kennel used must be within ten miles of the Council boundary. This can prove difficult and few local kennels seem willing to take the risk of accepting dogs with no medical history.

## **9. LEGAL IMPLICATIONS**

- 9.1 The provision of a stray dog collection and kennelling service is a statutory requirement under Section 149 of The Environmental Protection Act 1990. Under this Act the Local Authority has a duty to seize and detain stray dogs. Outside normal office hours the local authority is required to provide a reception for stray dogs.
- 9.2 The Council has undertaken a quotation process in accordance with the CPRs whereby one bidder, SDK Environmental Limited, submitted a bid which met the requirements for the service. The bidder's quotation has passed the quality requirements set out in the RFQ and Officers are satisfied that the price quoted by the bidder is in line with market rates.
- 9.3 A waiver of the Contract Procurement Rules was considered justified because of the nature of the market for the services to be provided has been investigated and was demonstrated to be such that a departure from the requirements of CPRs was justifiable (Rule 22.4 a)).

## **10. FINANCIAL IMPLICATIONS**

- 10.1. The cost of the contract is £89,400 for a three-year contract.
- 10.2 The cost of the previous three-year contract was £61,207.50, this contract was extended for a further two years with no increase in cost. The current quote is a 46% increase in price quoted five years ago.
- 10.3 This is an additional cost of £9,400 a year which cannot be funded from existing budgets and will be an additional cost to the general fund. The budgets will be adjusted as part of the quarterly budget monitoring process. The additional expenditure is within the limits contained within the financial regulations, and does not require formal Cabinet approval (constitution 5.6.22).

## **11. RISK IMPLICATIONS**

- 11.1 The Council has a legal duty to seize stray dogs found within the Council's area, detain seized dogs for seven days and keep a public register of prescribed particulars relating to the dog. This contract avoids the risk of the Council failing to fulfil its regulatory duties regarding the collections and kennelling of stray dogs.

## **12. EQUALITIES IMPLICATIONS**

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

12.2 There are no equality implications. SDK Environmental Limited have their own Equal Opportunities and Diversity Policy dated 20<sup>th</sup> March 2019. This Policy provides a statement of intent signed by the Managing Director. It also describes their commitment to diversity and eradicating discrimination.

**13. SOCIAL VALUE IMPLICATIONS**

13.1 The Social Value Act and “go local” policy do not apply to this decision.

**14. ENVIRONMENTAL IMPLICATIONS**

14.1. There are no known Environmental impacts or requirements that apply to this report.

**15. HUMAN RESOURCE IMPLICATIONS**

15.1 There are no human resource implications.

**16. BACKGROUND PAPERS**

16.1 None

**17. APPENDICES**


17.1 None.

**NOTIFICATION DATE**

23 October 2020

**Signature of Executive Member Consulted .....Cllr. Gary Grindal (approved by email 16.10.20)**

**Date .....15 October 2020**

**Signature of Decision Taker .....**  **.....**

**Please Note: that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.**

**Call-in does not apply to NON-EXECUTIVE DECISIONS**