



Officer Decision Record – Key Decision

Key decisions taken by an officer are subject to the 5 day call in period from circulation to Members, and therefore the decision will be released for implementation following the call-in period and no call in being received

1. Cabinet date and copy resolution this key decision relates to

21 August 2024

DN.27 WATER, WASTEWATER AND ANCILLARY SERVICES Cabinet considered a report from the Portfolio Holder for Finance, Resources and Assets seeking approval to access the YPO Water, Wastewater and Ancillary Services Framework - 1181 via direct award for a period of four years commencing 26 October 2024.

RESOLVED –

1. That the Director for Economy, Environment, and Infrastructure, in consultation with the Portfolio Holder for Finance, Resources and Assets be delegated authority to direct award from the YPO Water, Wastewater and Ancillary Services Framework – 1181, together with authority to complete any ancillary action reasonably arising from the above.
2. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to complete all legal documentation in relation to the matters outlined above.

2. Subject and details of the matter (to include reasons for the decision)

Cabinet considered a report from the Portfolio Holder for Finance, Resources and Assets seeking approval to access the YPO Water, Wastewater and Ancillary

Services Framework - 1181 via direct award for a period of four years commencing 26 October 2024.

REASON FOR DECISION – The Council is required to demonstrate value for money by accessing a nationally recognised framework contract has the benefits of approved suppliers already meeting certain benchmarks and flagging agreement in advance to appropriate terms and conditions. Further, the Council may achieve better terms by combining its volume with the other public bodies also taking part.

3. Decision being taken

To commence a four-year contract from 26 October 2024 with WAVE via the YPO framework.

4. Is it an Urgent Decision? If yes, specify the reasons for urgency. **Urgent decisions will require sign off by the relevant scrutiny chair(s) as not subject to call in.**

No

5. Anticipated outcome(s)/benefits

Execute a call off contract with WAVE for a period of four-years, commencing 26 October 2024.

Benefits;

- A framework compliant with UK legislation is available through the YPO.
- Active Water Management service is included at no additional cost.
- WAVE have knowledge of the account as they are the retailer of Anglian Water.
- WAVE is committed to work with the Council with the aim of reducing the Council's water consumption by 10% as part of the framework agreement.
- WAVE have CSR initiatives that will support local schools and young people. NELC will benefit from volunteer activities that support local communities and improve local environments. These activities are reported through the framework KPIs.
- WAVE provide billing technology compatible with existing Council systems.

6. Details of any alternative options considered and rejected by the officer when making the decision (this should be similar to original cabinet decision)

Option 1: Do nothing

Benefit

- There are no benefits for this option.

Challenges

- There would not be a valid supply contract in place.
- The basket would move on to deemed rates. This would see an increase estimated of £26,000 per annum across the portfolio.
- The Council would not be able to demonstrate Value for Money and there would be additional costs of supply at deemed rates.

Option 2: Carry out an independent procurement exercise

Benefit

- Independent test of the market.

Challenges

- The cost and time of a procurement exercise could see the Council slip on the deemed rates.
- Other retailers charge for value added services like those provided by Active Water Management.
- Due to margins set by Ofwat, the Council could see an increase in cost as opposed to a saving.
- The billing systems offered by other suppliers may not be compatible the Council's financial or utility management systems. Additional administrative costs would be incurred if the Council had to switch to paper billing as a result.

7. Background documents considered (web links to be included and copies of documents provided for publishing)

[10.-Cabinet-Report-Water-Wastewater-and-Ancillary-Services.pdf \(nelincs.gov.uk\)](#)

8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons

No

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

None

10. Monitoring Officer Comments (Monitoring Officer or nominee)

The decision is consistent with the will and expectation of Cabinet. Legal colleagues will support as required.

11. Section 151 Officer Comments (Deputy S151 Officer or nominee)

The costs associated with this contract are managed within the current budget envelope, as part of the core council budget. Any adverse variations to these costs would result in a budget pressure.

12. Human Resource Comments (Head of People and Culture or nominee)

There are no direct HR implications arising from the contents of this report.

13. Risk Assessment (in accordance with the Report Writing Guide)

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14. Has the Cabinet Tracker been updated with details of this decision?

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15. Decision Maker(s):

Name: Sharon Wroot

Title: Executive Director of Place and Resources

Signed: REDACTED

Dated:16.09.24

**16. Consultation carried out with
Portfolio Holder(s):**

Name: Councillor Stephen Harness

Title: Portfolio Holder for Finance,
Resources and Assets

Signed: REDACTED

Dated: 16th September 2024

**17. If the decision is urgent then
consultation should be carried out
with the relevant Scrutiny
Chair/Mayor/Deputy Mayor**

Name:

Title:

Signed:

Dated:

Key Decisions are defined in the Constitution as:

A decision (whether taken collectively or individually by members) which is likely:

- (i) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards.

A decision will be considered financially significant if:

- (i) in the case of revenue expenditure, it results in the incurring of expenditure or making savings of £350,000 or greater;
- (ii) in the case of capital expenditure, the capital expenditure/savings are in excess of £350,000 or 20% of the total project cost, whichever is the greater

In determining whether a decision is significant in terms of its effect on an area comprising two or more wards, consideration shall be given to:

- (i) the number of residents/service users that will be affected in the wards concerned;
- (ii) the likely views of those affected (i.e. is the decision likely to result in substantial public interest)
- (iii) whether the decision may incur a significant social, economic or environmental risk.