

CABINET

DATE	11 th March 2026
REPORT OF	Councillor Stephen Harness – Portfolio Holder for Finance, Resources and Assets
RESPONSIBLE OFFICER	Carolina Borgstrom – Director of Economy, Environment, and Infrastructure
SUBJECT	Re-procurement of Public Conveniences contract
STATUS	Open
FORWARD PLAN REF NO.	CB 03/26/04

CONTRIBUTION TO OUR AIMS

The provision of Public Convenience facilities directly supports the Council Plan 2025 to 2028 outcome of 'Stronger Communities' by providing much needed public convenience facilities which encourage 'safe and clean streets and open spaces' for residents and visitors to the Resort.

The Council does not have a statutory obligation to provide these facilities and therefore must balance the offer and cost against other priorities and ensure value for money and limit the financial constraint, supporting our determination to be an efficient and effective Council.

EXECUTIVE SUMMARY

This report seeks approval to commence the re-procurement of the Public Conveniences service contract and leases of associated property assets and subject to an appropriate bid being received, award the contracts.

RECOMMENDATIONS

It is recommended that Cabinet:

1. approves the commencement of a procurement exercise for a new services contract and leases with a specialist Public Conveniences provider in relation to facilities at:
 - Boating Lake
 - Kingsway
 - St. Peters Avenue and
 - Grant Street
2. delegates authority to the Director of Economy, Environment, and Infrastructure in consultation with the Portfolio Holder for Finance, Resources and Assets to commence the above procurement and carry out all necessary activities, including award, mobilisation and implementation, completion of lease or other arrangements, together with any other ancillary activity reasonably arising, and thereafter monitor and evaluate.
3. authorises the Assistant Director Law and Governance (Monitoring Officer) to

complete and execute all requisite legal documentation in relation to the matters outlined above.

REASONS FOR DECISION

The procurement of a new services contract is required to ensure compliance with the Procurement Act 2023. Arrangements will run in parallel with leases of the property assets outlined at Recommendation 1 above. The new provider will be responsible for all operational costs in managing the facilities, including day-to-day repairs and maintenance to maintain and invest in condition of the property assets with improvements where possible.

1. BACKGROUND AND ISSUES

- 1.1 The current contract and leases with an external public convenience provider is due to end in September 2026 and to comply with the Procurement Act 2023, the Council is duty bound to re-tender the opportunity to ensure the contract continues to offer value for money.
- 1.2 The intention is that the Council will invite expressions of interests to bid for a new contract and leases of the agreed property assets, for the term of three (3) years with a further two (2); 12-month extension periods.
- 1.3 The procurement of a new contract will ensure the specific expertise is appointed to continue to provide the appropriate level of service across existing facilities. This will ensure as a minimum health and safety standards are being met as well as maintaining and investing where possible in the fixtures and fittings within each facility providing a suitable offer across the Resort of Cleethorpes.
- 1.4 During the new contract period, it is expected that brand-new public convenience facilities located at Sea Road will be built and opened which will replace the interim opening and use of Grant Street facilities which will subsequently close. The portfolio will continue to be reviewed to consider whether it is fit for purpose and whether there are other opportunities, or rationalisation which may provide a reduction in the contract cost.
- 1.5 The tender will be advertised through YORtender, the Council's procurement portal. Requirements within the tender documentation will include a budget indication in line with the current approved budget for public conveniences services, and bids that significantly exceed the approved budget of £160,000.00 per annum may not be considered.
- 1.6 Should the contract be awarded to a new provider, the mobilisation period is unlikely to include TUPE transfer of staff from the existing provider to the new provider.

2. RISKS, OPPORTUNITIES AND EQUALITY ISSUES

- 2.1 If a decision on the commencement of a procurement exercise and the tender and award of a new contract is not expedited, there is a risk that the current contract will no longer provide value for money to the Council.
- 2.2 The service provider will be required to maintain and improve – where possible - fixtures and fittings in line with industry standard and consider the environmental impact with fixtures including water and air, consumables and cleaning products and vehicles throughout the contract period.

3. OTHER OPTIONS CONSIDERED

Do Nothing - the main contract term for the public conveniences services and property asset leases is five (5) years, with two (2) further periods to extend the contract by 2 x 12-months. The contract has been extended twice; and will be ending later this year. It is therefore recommended a re-tendering exercise is commenced as to do nothing is not considered a viable option.

4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

- 4.1. There are both positive and negative reputational implications for the Council resulting from implementing the recommendations within this report. The positive aspect is that the Council continues to provide Public Convenience facilities through a provider specialising in these services and leasing the respective property assets under a full, repairing basis.
- 4.2. The Council will continue to review the current provision, exploring alternative opportunities where possible which may result in changes to the existing portfolio, and if necessary, partial, or full closure of those public conveniences facilities no longer deemed fit for purpose. The new facilities that will be built and open at Sea Road will provide modern fixtures and fittings and environmental controls and will increase the number of facilities and Changing Places within the heart of the Resort. The facilities at Grant Street that were re-opened for an interim period in support of maintaining provision within the Resort will once again close.
- 4.3. Any closure would no doubt have a negative impact on customers who access these facilities, however, there is a careful balance in continuing to operate and subsidise facilities which do not form part of a statutory service, suffer from ongoing vandalism and/or anti-social behaviour, or have a low footfall.
- 4.4. The Council's communications service has been advised of the potential implications in order to respond to representations or requests for information relating to these proposals.

5. FINANCIAL CONSIDERATIONS

- 5.1. The recommendations outlined within this report provide potential associated savings with continuing to engage with a specialist provider to manage, maintain and where possible invest and improve the public conveniences facilities at less cost than if the portfolio were managed in-house.
- 5.2. The management of the portfolio will be subject to a contract fee, currently at £160,000.00 per annum. By progressing to procurement, and testing the market, the Council would expect the contract fee to be a competitive rate and is likely to remain at a lower value than the direct expenditure should the Council have taken the decision to manage this portfolio in-house.
- 5.3. Whilst the Council would seek savings from a new contract, it is appreciated that market fluctuations will influence this, however, taking the approach to offer the opportunity to the market is consistent with the Council's policy to contribute to improved value for money and supports the financial objective and our determination to be an efficient and effective Council.

6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS

The new contract will enable the current public convenience facilities portfolio to continue to operate and be accessible as they are now. The contract will

continue to encourage investment and enhancement across all facilities which will result in positive implications should these facilities support activity involving Children and Young People.

7. CLIMATE CHANGE, NATURE RECOVERY AND ENVIRONMENTAL IMPLICATIONS

As part of the procurement exercise for a new contract, the Council will encourage bidders to consider the environmental impact of goods and services. This includes fixtures operating with water and air, consumables and cleaning products and use of vehicles - with the view of reducing carbon emissions and achieving wider environmental impact across the Public Convenience facilities.

8. PUBLIC HEALTH, HEALTH INEQUALITIES AND MARMOT IMPLICATIONS

The new contract will enable the current public convenience facilities portfolio to continue to operate and be accessible as they are now which will have a positive impact on population health. The contract will continue to encourage investment and enhancement across all facilities and with the new facilities expected at Sea Road offering modern public conveniences and a changing place will result in a positive environment for children, older people, and inclusion health groups to maintain health and wellbeing.

9. CONSULTATION WITH SCRUTINY

There has been no consultation with Scrutiny to date.

10. FINANCIAL IMPLICATIONS

The re-procurement of the Public Conveniences contract provides an opportunity to secure continued service delivery at a cost that represents value for money, in compliance with the Procurement Act 2023 and the Council's Contract Procedure Rules. The revenue budget for the service is already established within the Medium-Term Financial Plan (MTFP), and bidders will be expected to operate within this financial envelope.

11. LEGAL IMPLICATIONS

11.1 The procurement exercise will be conducted so as to comply with the Council's policy and legal obligations, specifically in compliance with the Council's Contract Procedure Rules and the Procurement Act 2023 and supported by relevant officers.

11.2 The delegations sought are consistent with an exercise of this nature.

12. HUMAN RESOURCES IMPLICATIONS

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

13. WARD IMPLICATIONS

Public Convenience facilities are located within the Croft Baker and Haverstoe Wards. The facilities are used by residents across all Wards and visitors to the Borough.

14. BACKGROUND PAPERS

There are no background papers to this report.

15. CONTACT OFFICERS

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COUNCILLOR STEPHEN HARNESS

PORTFOLIO HOLDER FOR FINANCE, RESOURCES AND ASSETS