



## Items for Decision

### 1. Declarations of Interest

See guidance below.

### 2. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am two working days before the meeting, ask a question on any matter in respect of the Cabinet Member's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

### 3. Petitions and Public Address

*Members of the public who wish to speak at this meeting can attend the meeting in person or 'virtually' through an online connection.*

*Requests to speak must be submitted by no later than 9am four working days before the meeting. Requests to speak should be sent to [committeesdemocraticservices@oxfordshire.gov.uk](mailto:committeesdemocraticservices@oxfordshire.gov.uk).*

*If you are speaking 'virtually', you may submit a written statement of your presentation to ensure that if the technology fails, then your views can still be taken into account. A written copy of your statement can be provided no later than 9 am 2 working days before the meeting. Written submissions should be no longer than 1 A4 sheet.*

### 4. Contract Award for the Supply of Water and Waste Water Services at all Corporate Properties. (Pages 1 - 4)

Cabinet Member: Finance

Forward Plan Ref: 2024/129

Contact: Michael Smedley, Head of Estates and Investment  
([Michael.Smedley@oxfordshire.gov.uk](mailto:Michael.Smedley@oxfordshire.gov.uk))

Report by Executive Director of Resources and Section 151 Officer.

**The Cabinet Member for Finance is RECOMMENDED to:**

- a) Approve the award of a contract to Anglian Water National Business Ltd (trading as Wave) following a tendering process, for the provision of water supply and wastewater services.**

## **Councillors declaring interests**

### **General duty**

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed 'Declarations of Interest' or as soon as it becomes apparent to you.

### **What is a disclosable pecuniary interest?**

Disclosable pecuniary interests relate to your employment; sponsorship (i.e. payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

### **Declaring an interest**

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

### **Members' Code of Conduct and public perception**

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member 'must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself' and that 'you must not place yourself in situations where your honesty and integrity may be questioned'.

### **Members Code – Other registrable interests**

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your other registerable interests then you must declare an interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing.

Other registrable interests include:

- a) Any unpaid directorships
- b) Any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority.

- c) Any body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

### **Members Code – Non-registrable interests**

Where a matter arises at a meeting which directly relates to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

Where a matter arises at a meeting which affects your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under other registrable interests, then you must declare the interest.

In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied:

Where a matter affects the financial interest or well-being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

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## Divisions Affected – All

### DELEGATED DECISIONS BY THE CABINET MEMBER FOR FINANCE

14 JUNE 2024

### REPROCUREMENT OF WATER AND WASTE SUPPLIES

#### Report by Executive Director of Resources

### RECOMMENDATION

The Cabinet Member is RECOMMENDED to:

- a) Approve the award of a contract to Anglian Water National Business Ltd (trading as Wave) following a tendering process, for the provision of water supply and wastewater services.

### Executive Summary

1. The current contract for water and wastewater services has expired. A procurement exercise has been completed and following an evaluation of the tenders it is recommended that the contract is awarded to Anglian Water National Business Ltd (trading as Wave) on an initial two-year contract with the option to extend for a further two one-year periods.
2. Based on the current service provision, the cost of the contract for the corporate estate would be approximately £245,000 annually (dependent on consumption). If maintained schools who opted into the former contract continue to opt in this would rise to £413,000 per annum.

### Background

3. Since deregulation of the water retail market in April 2017, business customers (including the public sector) in England have been able to select their water supply and wastewater services provider. This means that to comply with Public Contract Regulations, 2015, Oxfordshire County Council (OCC) must secure a water services provider for the corporate estate through a competitive tender.
4. Thames Water was the sole provider in the Oxfordshire area. Following the transfer of their retail business to Castle Water in April 2017) OCC participated in a multi-authority procurement led by the London Energy Project (LEP). This procurement process completed with the contract being awarded to Anglian Business National Ltd (trading as Wave). The current Framework agreement and contract has now ended.

5. A procurement exercise has been undertaken, returns evaluated and terms of a new contract have been agreed.
6. Contract Procedure Rules and Legislation allows for use of compliant frameworks which are open to the Council.
7. Whilst procurement through a multi-authority framework helps secure the best value for money, the market structure means there is only limited opportunity to directly reduce organisational costs (the retail element constitutes only 6% of the overall contract price). The contract therefore leans heavily towards quality whilst also looking to make savings through improving water efficiency and reducing water use. Emphasis was therefore placed on these elements in the service specification and evaluation assessment conducted within the framework.
8. As a result of this exercise the NEPO and YPO frameworks agreements were used and from these 5 tenders were received. These were reviewed and analysed, and an evaluation and recommendation report prepared, recommending that Anglian Water Business (National) Ltd trading as Wave were awarded the contract.
9. The contract will cover all corporate sites. As with the previous contract Schools will have an opportunity to opt into the contract, but as they hold delegated budgets for this service there will be no obligation for them to do so.
10. Based on the current service provision, the cost of the contract for the corporate estate would be approximately £245,000 annually (dependent on consumption). If maintained schools, who opted into the former contract, continue to opt in this would rise to £413,000 annually.
11. The contract will be for a term of two years with the option to extend for a further two one-year periods. The maximum length of the contract is for a total of 4 years.
12. Opportunities for financial savings in terms of price are limited due to the 94% wholesale element. Based on the prices agreed against the out of contract rates savings in the region of £12,700 per year on the supply for the corporate estate will be achieved and £6,800 in respect of schools that had opted in to the old contract.
13. With the limited opportunities for savings in this contract, much of the evaluation and focus was on added benefits. At the forefront of this was improved customer service, data management and billing processes. In addition, considerable emphasis was placed on water reduction and efficiency services which if implemented will contribute to reducing contract costs.
14. The recommendation of the evaluation panel is that Anglian Water Business should be awarded the contract, subject to agreement of terms & conditions.



## **Corporate Policies and Priorities**

15. The procurement of water and waste services will support the Property and Asset Strategy 2022/23 by reducing operational running costs in buildings to support financial sustainability.

## **Financial Implications**

16. The procurement exercise has ensured value for money has been achieved. The Finance Business Partner for Property was part of the evaluation team considering the tenders received and supported the evaluation and award recommendation.

17. Based on the current service provision, the cost of the contract for the corporate estate would be approximately £245,000 annually (dependent on consumption). If maintained schools, who opted into the former contract, continue to opt in this would rise to £413,000 annually. Based on the prices agreed against the out of contract rates savings in the region of £12,700 per year on the supply for the corporate estate will be achieved and £6,800 in respect of schools that had opted in to the old contract.

Comments checked by:

Prem Salha, Finance Business Partner (Resources)  
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## **Legal Implications**

18. The value of the contract over its lifetime is in excess of the threshold for contracts for services and the award of the Contract is therefore governed by the Public Contracts Regulations 2015 ("PCR"). The procurement process was undertaken via a PCR compliant framework (the NEPO framework). The terms of the call off contract are not as favourable as the old contract, but nevertheless can be managed successfully. Maintained schools will be able to order services under the Council's Call Off Contract, but each school will remain the designated contact for billing purposes. Officers across services were engaged with the procurement process to ensure such compliance.

Comments checked by:

Busola Akande, Solicitor Legal Services  
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## **Staff Implications**

19. There are no staff implications.

## **Equality & Inclusion Implications**

20. Suppliers will be screened for relevance against our statutory duties to promote equality and where relevant an impact assessment (ECIA) will be completed.

## **Sustainability Implications**

21. Though the review and analyse of data provided consumption of water and wastewater generated will be reduced.

## **Risk Management**

22. As part of the procurement process the financial stability of the suppliers will be reviewed to ensure that the service can be delivered for the term of the contract

**Report by Lorna Baxter  
Executive Director of Resources.**

### **Contact Officers:**

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24 May 2024