

## HAMPSHIRE COUNTY COUNCIL

### Executive Decision Record

<b>Decision Maker:</b>	Executive Member for Environment and Transport
<b>Date:</b>	14 November 2017
<b>Title:</b>	Coastal Pollution Disposal Contract Procurement
<b>Report From:</b>	Director of Economy, Transport and Environment

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#### **1. The decisions:**

- 1.1 That approval be given to tender for a retainer contract to provide the County Council with the necessary provisions for storage, onward transport, and disposal of material resulting from a coastal pollution event.
- 1.2 That this retainer contract is procured in partnership with Portsmouth City Council and the four District Councils with significant coastal responsibilities (New Forest, Fareham, Gosport and Havant) – subject to a partnership agreement from these parties – for the purpose of sharing costs and pooling responsibilities under the wider principles of mutual aid and co-operation that are already in place via the Hampshire & Isle of Wight Local Resilience Forum<sup>1</sup>.
- 1.3 That the Director of Economy, Transport, and Environment is given delegated authority to agree any variations to the items approved in consultation with the Executive Member for Environment and Transport.

#### **2. Reasons for the decision:**

- 2.1 The County Council has a duty under the Civil Contingencies Act 2004 to “maintain plans for the purpose of ensuring that if an emergency occurs or is likely to occur the person or body is able to perform his or its functions so far as necessary or desirable for the purpose of:
  - i) Preventing the emergency
  - ii) Reducing, controlling or mitigating its effects
  - iii) Taking other action in connection with it.

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<sup>1</sup> <http://www3.hants.gov.uk/localresilienceforum.htm>

- 2.2 A Coastal Pollution Waste Management Strategy has been developed and was approved in February<sup>2</sup> and now forms an addendum to the wider Hampshire County Council Coastal Pollution Plan.
- 2.3 Amongst the key responsibilities that are highlighted in the Coastal Pollution Plan is “Final and intermediate waste disposal from the point of clean up” – a requirement to manage the potentially significant volumes of waste that could arise from a maritime incident which impacts upon the shoreline.

**3. Other options considered and rejected:**

- 3.1 The option to procure the contract via the Term Highways Contract was considered and rejected. The cost to Hampshire County Council of mitigating the potential financial risks that Skanska would have to take on was greater than the benefit that would be derived though putting the limited amount of annual spend through it.
- 3.2 The option not to procure a contract has been considered and rejected. If a coastal pollution incident were to occur, the County Council would need to source the necessary resources and equipment required to deal with it in-house. Due to the level of specialism required and the potential variety of incidents that might occur, it would be resource intensive to manage, and there is no guarantee that the Authority would be able to deliver this. This would leave the Authority exposed in failing to fulfil its statutory duty and lead to an inability to implement the strategy contained within the County Council’s Coastal Pollution Plan.

**4. Conflicts of interest:**

- 4.1 Conflicts of interest declared by the decision-maker: None
- 4.2 Conflicts of interest declared by other Executive Members consulted: None

**5 Dispensation granted by the Conduct Advisory Panel: none.**

**6 Reason(s) for the matter being dealt with if urgent: not applicable.**

**7 Statement from the Decision Maker:**

**Approved by:**

**Date:**

**14 November 2017**

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**Executive Member for Environment and Transport  
Councillor Rob Humby**