

## **Cabinet**

**18 November 2025**

### **Gateway 3 Contract Award: Street Scene Enforcement**

Portfolio Holder: Councillor Alex Patterson, Portfolio Holder for Community Safety, Highways and Enforcement

Report from: Adam Bryan, Director of Place

Author: Ian Gilmore, Head of Regulatory Services

#### **Procurement Overview**

Total Contract Value: 0 (Estimated £570,000 FPN Income will be generated per annum with an Estimate of £140,000 being returned to the Council)

Project Budget: 0

FTS reference number: N/A

Contract Term: 60 months + 60 months

Contract Start Date: 01/12/2025

Initial Contract End Date: 30/11/2030

Extension End Date: 30/11/2035

#### **Summary**

This report seeks permission to award the procurement of the Street Scene Enforcement Contract.

#### **1. Recommendation**

- 1.1 It is recommended that the Cabinet agrees to award the contract to Waste Investigation Support and Enforcement (WISE) as they have been evaluated as the most economically advantageous against the Council's award criteria as per the evaluation spreadsheet contained within 3.1 of the Exempt Appendix.

## 2. Suggested reasons for decision

- 2.1. Waste Investigation Support & Enforcement Limited provided the only viable tender, with a financial plan that supported the sustainability & returnable sum required by Medway Council.

## 3. Background Information

### 3.1. Budget & Policy Framework

- 3.1.1. Medway sought to reprocur a nil cost street scene enforcement contract with the result being a financial income to the Council which will heavily depend on the attraction of the area as well as the number of successful tickets issued and paid.
- 3.1.2. The previous Street Scene Enforcement contract has lapsed and with a new incumbent it is imperative to have little gap in the enforcement of this contract.

### 3.2. Background Information and Procurement Deliverables

- 3.2.1. The Council has had an enforcement contract of this nature in place since 2019. This submission is to award the most suitable tender to continue the Street Scene enforcement. At Gateway 1 stage it was approved that an open tender would be conducted.
- 3.2.2. This contract will see the outsourcing of all ticket issuing and money recovery for a fixed price element of enforcement tickets issued.

### 3.3. Parent Company Guarantee/Performance Bond Required

- 3.3.1. As this is a nil cost requirement and the recommendation is that 100% of the risk resides with the contractor, this is not applicable.

## 4. Procurement Process

### 4.1. Procurement Process Undertaken

- 4.1.1. A 4-week open market procurement process was undertaken on the Kent Business Portal.

### 4.2. Evaluation Criteria Used

- 4.2.1. At Gateway 1 stage approval was given to conduct a quality assessment followed by a cost only evaluation based on higher returns via the Kent Business Portal. A 40% quality and 60% price was adopted. Price was evaluated on 40% being attributed to the sustainability of the proposal and 20% was based on the returnable sum to the Council.

Bids were evaluated on the following criteria:

<b>Quality</b>	
Promotional Campaigns	10%
Ability to Deliver	Pass/Fail
Training	5%
Health and Safety	15%
Equalities Monitoring	5%
Social Value	5%
GDPR	Pass/Fail
<b>Price</b>	
Sustainability	40%
Returnable Sum to the Council	20%

#### 4.3. Contract Management

4.3.1. Contract management will be the responsibility of the Head of Regulatory Services (or Public Protection).

4.3.2. It is proposed that the below table is used for the purpose of further reporting.

Contract Start Date	Initial Contract End Date	Extension Period in months	Reprocure Period in months	Project Extension Review (GW4) Date	End of project review (GW4) Date
1 <sup>st</sup> December 2025	30 <sup>th</sup> November 2030	60 months	12 Months	30 <sup>th</sup> November 2029	30 <sup>th</sup> November 2034

For the above table, it is assumed that the:

- Extension period must be greater than the reprocure period.
- Project Extension date (if applicable) gives officers sufficient time to reprocure the service should the extension not be granted.
- End of Project date mandates officers present a contract management report to board prior to starting a new procurement process.

#### 5. Risk Management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Inability to perform full contractual obligations.	Service disruption.	Provision in contract to modify terms. Continual monitoring of contract compliance.	CIV

For risk rating, please refer to the following table (please **retain** table in final report):

Likelihood	Impact:
A Very likely	I Catastrophic
B Likely	II Major
C Unlikely	III Moderate
D Rare	IV Minor

## 6. Service Implications

### 6.1. Financial Implications

6.1.1. The procurement requirement and its associated delivery will generate a financial income for the Council. However, due to the nature of the contract it is difficult to say with accuracy what this will be, but the successful tenderer has indicated that this could be in the region of £140,000. This is dependent upon the number of Fixed Penalty Notices (FPN's) issued and paid.

6.1.2. The delivery of this contract will result in income being generated for the Council, and the successful tenderer has indicated depending on the number of FPN's issued this could be up to £140,000. Given our current income budget, it is extremely unlikely that there will be any financial impact to the Council in engaging the new contractor Waste Investigation Support and Enforcement (WISE)

### 6.2. Legal Implications

6.2.1. This procurement activity was above the FTS threshold and therefore an FTS notice was required.

6.2.2. The procedure gives a high degree of confidence that the Council's primary objectives for procurement are met, as required by Rule 2.2 of the Council's Contract Procedure Rules ("the CPRs").

6.2.3. Under the Council's Contract Procedure Rules, the procurement is a Process 3 procurement (Rule 18), and the process set out in this report meets the requirements for such procurements. The procurement was advertised on the Kent Business Portal, in compliance with rule 18.4 of the CPRs.

6.2.4. Medway Council has the power under the Local Government (Contracts) Act 1997 and the Localism Act 2011 to enter into contracts in connection with the performance of its functions.

6.2.5. The process described in this report complies with the Procurement Act 2023 and 2024 regulations, Medway Council's Contract Procedure Rules.

6.2.6. This report has been presented as a Process 3 High risk procurement, and therefore the Monitoring Officer, in consultation with the Procurement Board will therefore set the risk and reporting stages for the remainder of the procurement process for Gateway 4.

### 6.3. TUPE Implications

6.3.1. Currently three members of the current contractor will be subject to TUPE, however they are not Medway Council employees.

### 6.4. Procurement Implications

6.4.1. Only one provider submitted a Tender where the response to Sustainability was supported by the pricing schedule. The other submissions contained several discrepancies which brought into question the validity of their pricing schedule, sustainability model or both.

### 6.5. ICT Implications

6.5.1. No ICT Implications

### Service Lead Officer Contact

Name:	Ian Gilmore
Title:	Head of Regulatory Services
Department:	Public Protection
Extension:	01634 331191
Email:	<a href="mailto:ian.gilmore@medway.gov.uk">ian.gilmore@medway.gov.uk</a>

### Appendices

Exempt Appendix – Financial Analysis

### Background Papers

[Gateway 1 Report Renewal of Street Scene Enforcement Service](#)