

# Cabinet Agenda

**Monday, 4 September 2023 at 6.00 pm**

Council Chamber, Muriel Matters House, Breeds Place, Hastings, East Sussex, TN34 3UY. Please enter the building through the Contact Centre entrance via the seafront.

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6.	Appointment of Cremator Maintenance Contractor (Part 1) <i>(Cameron Morley, Head of Environment and Operations)</i> <i>(Cabinet decision)</i>	1 - 6

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# Agenda Item 6



<b>Report To:</b>	<b>Cabinet</b>
<b>Date of Meeting:</b>	<b>4<sup>th</sup> September 2023</b>
<b>Report Title:</b>	<b>Appointment of Cremator Maintenance Contractor</b>
<b>Report By:</b>	<b>Cameron Morley   Head of Environment and Operations</b>
<b>Key Decision:</b>	<b>Yes</b>
<b>Classification:</b>	<b>Public (Part 1)</b>

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## Purpose of Report

To agree the renewal of the cremator maintenance contact for Hastings Crematorium.

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## Recommendation(s)

To award **Facultatieve Technologies Ltd** the contract of providing cremator maintenance for Hastings Borough Council from **1<sup>st</sup> October 2023** on a term of 5 years, with the option to extend for a further 5 years with an option to withdraw on 6 months' notice after the initial 5-year period should we be replacing the equipment.

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## Reasons for Recommendations

The current cremator maintenance contract comes to an end on 31<sup>st</sup> July 2023. This contract has been extended as far as it can, and therefore a new contract is required. Following a tender exercise, Facultatieve Technologies Ltd was selected as the most suitable candidate to provide this essential service from 1<sup>st</sup> October 2023, with interim arrangement having been put in place to accommodate servicing needs between 31<sup>st</sup> July 2023 and 1<sup>st</sup> October 2023.

## INTRODUCTION

1. Hastings Crematorium was built as an appendaged facility, incorporating the 2 Victorian Cemetery Chapels (built 1856), and was opened to the public in 1956. The Crematorium has a catchment area over Hastings and Rother and currently performs around 1450-1500 services a year.
2. Every 15-20 years, as the technology comes to the end of its operational life, or there are legislative changes, the cremation equipment needs to be replaced.
3. In addition to this, the cremators need regular maintenance to continue operating at peak efficiency and to ensure compliance with the facility's permit conditions.
4. The purpose of this report is feedback on the procurement process followed and to recommend the appointment of a new cremator maintenance contractor.

## BACKGROUND TO CREMATOR MAINTENANCE CONTRACTS

5. In the early 2000's legislative changes were introduced to primarily reduce mercury and other heavy compounds. Hastings Crematorium adapted to these changes and in 2010-11 and after a competitive tender process the facility was upgraded with two new cremators connected to an abatement plant. The equipment being supplied and fitted by Facultative Technologies Ltd (FT). At the time, the equipment was under a 2-year manufacturer guarantee.
6. Hastings Crematorium currently has a variety of 11- 12 year old equipment which is essential for the cremating and processing deceased people which includes:
  - 1 FT II cremator
  - 1 FT III cremator (larger aperture)
  - 1 emissions monitoring panel
  - 1 Double Stream Flue Gas Treatment System (FGT) (including Mercury Abatement Filters)
  - 1 Mobile Coffin Charger on a fixed track aka loading machine.
  - 1 High Speed Cremulator
  - 1 Ash Transfer Cabinet
7. In 2013 at the end of the cover period Hastings Crematorium entered a 5-year contract with FT to provide:
  - routine and essential servicing at set intervals (every 3 months) on a labour only agreement,
  - provide consumables and spares (paid on an ad hoc basis),
  - break down cover (onsite and remotely) within agreed time scales depending on the situation.
  - Daily support via telephone and online during working hours should issues arise.
  - Hearth Maintenance/ reline of cremator brick work (billed separately)
  - Boiler Cleaning (part of the FGT plant)
5. In August 2017 at the end of the first 5-year agreement Hastings Crematorium went through another tender process using a YPO framework 000654 Crematoria solutions II. The conclusion was that FT were the Most Economically Advantageous Tender. In the mind that they are the manufacturer of the equipment, competitors would have to buy in all spares and materials from FT, hence an increase on costs and we would not have priority.
6. The current 5-year agreement ended in July this year and we are looking to enter another agreement on similar terms, encompassing a small number of new items that we have been paying for separately, namely the provision and collection of reagent and waste for the FGT and PC cover to ensure that we are up to date and protected against equipment failure.

## PROCUREMENT PROCESS AND RESULTS

7. In early January 2023 initial enquires and communication were made to the East Sussex Procurement Hub about the upcoming end of the current contract, with an initial PID produced to start the process.

8. A meeting was held 30 March with ESPH, reviewing the current arrangements. As it was clear that as nothing had fundamentally changed, FT was still the only manufacturer and supplier for the current plant and that they are therefore the only suitable supplier for our needs.
9. As this is the case, coupled with FT being a framework supplier, a direct award can be made instead of going out to open tender.
10. An additional consideration contributing to the terms of the new contract was the age of the cremators. As noted above, the cremators currently in place are roughly 12 years old and will likely need replacing within the next 10 years.
11. With this in mind, the proposed contract is based on a 5 year initial period with a possible extension of up to 5 years. Also built in is a break clause, initiated by giving 6 months' notice. The purpose of the break clause is to allow for the replacement of the cremators as required, without incurring a costly termination fee for the established maintenance contract.

## RECOMMENDATION

12. It is recommended that **Facultatieve Technologies Ltd** be awarded the contract of providing cremator maintenance for Hastings Borough Council from **1<sup>st</sup> October 2023** on a term of 5 years, with the option to extend for a further 5 years with an option to withdraw on 6 months' notice after the initial 5-year period should we be replacing the equipment.

## POLICY IMPLICATIONS

13. There are clearly a number of policy implications arising from these proposals, and they are outlined below under the appropriate headings.

### Equalities or community cohesiveness

14. As noted in paragraph 1, Hastings Crematorium is used by a wide array of customers locally and further afield, it provides an essential service to public.
15. People find it difficult to talk about death and the processes associated with it. We are trusted with the care of a loved one to perform the final act. Part of which is that they are treated with dignity and respect. It is essential that all our equipment is checked, serviced, and cared for by professional engineers who know and understand it to be able to reassure the public that the trust reposed in us is justified.

### Risk Management

16. There are several risks associated with Cremator Maintenance. If the equipment is not serviced, it will breakdown and eventually become inoperable. Which would have considerable impact on the reputation of the council as well as elevating service costs, loss of revenue, the health and safety of the staff and the risk of prosecution for not operating legally.

### Environmental Issues

17. The equipment used is designed to work to reduce and negate emissions. We have legal restrictions we must abide by and must keep the assorted items of plant in good working order. Failure to do so would have a direct impact on the environment.

## Economic/Financial Implications

18. The economic/ financial implications of this decision have been included in the associated part 2 report within the same agenda.

## Organisational Consequences

19. As with any other front-line service used by a high number of customers, there is a great deal of reliance and trust placed on us to do the right things. Failing to do so would ruin our reputation and potentially lead to prosecution.
20. Lastly, the crematorium does provide a source of income for the authority, failure to maintain the equipment could potentially mean the source will be lost.

## URGENCY

21. As noted in the introduction, the current 5-year agreement ended 31 July 2023.

## TIMETABLE OF NEXT STEPS

22. Table 1 provides a list of future activities relating to the cremator servicing contract.

Table 1 –

Action	Key milestone	Due date (provisional)
CAP Approval	Allows for decision at Cabinet	22 <sup>nd</sup> August 2023
Cabinet Approval	Allows approval to appoint contractor	4 <sup>th</sup> September 2023
Service Award	Contract awarded	21 <sup>st</sup> September 2023
Mobilisation	Contract commences	1 <sup>st</sup> October 2023

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## Wards Affected

All Wards

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## Policy Implications

Reading Ease Score: 12.8

Have you used relevant project tools?: Yes

## Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	Y
Crime and Fear of Crime (Section 17)	Y
Risk Management	Y
Environmental Issues & Climate Change	Y
Economic/Financial Implications	N – part 2
Human Rights Act	N
Organisational Consequences	Y

Local People's Views	N
Anti-Poverty	N
Legal	N

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### Additional Information

N/A

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### Officer to Contact

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