

KENT COUNTY COUNCIL – RECORD OF DECISION

DECISION TAKEN BY:

**Clair Bell, Cabinet Member for
Community and Regulatory Services**

DECISION NO:

24/00042

For publication

Key decision: YES

Title of Decision: Contingency contract to provide marine pollution response capabilities in the event of a mass fatality incident.

Decision: As the Cabinet Member for Community and Regulatory Services, I agree to:

1. KCC entering a contract for the provision of a marine pollution response capability, including equipment and expertise, in the event of a marine pollution incident.
2. Delegate authority to the Director of Infrastructure, in consultation with the Cabinet Member for Community and Regulatory Services to take necessary actions, included but not limited to entering into relevant contracts or other legal agreements to implement the above for the provision of a marine pollution response capability, including equipment and expertise, in the event of a marine pollution incident.

Reason(s) for decision:

The existing contingency contract is scheduled to expire shortly. A new contract is a key element of planning for an emergency which results in a marine pollution incident. If such a contract is called upon it is likely that the costs will exceed £1M.

Cabinet Committee recommendations and other consultation:

The proposed decision was considered by Members of the Policy and Resources Cabinet Committee on 15 May 2024, where the proposed decision was endorsed.

Any alternatives considered and rejected:

- **Do nothing.**
 - This would leave KCC exposed to not meeting its duties to plan, prepare and respond to an incident that threatens the environment of the UK, as defined in the Civil Contingencies Act.
 - It would also lead to significant reputational risk for KCC if there is a significant impact on the environment and / or the economy (e.g. loss of tourist income).
- **Rely on national government, local mutual aid agreements or military support.**
 - National government (through the Maritime & Coastguard Agency) has responsibilities for at-sea clean-up operations, but not onshore cleanup.
 - Mutual aid agreements between local authorities are already in place but they are limited in scope and do not provide the capability which would be required.
 - Military Aid to the Civil Authorities (MACA) may be sought in such an incident but it cannot be guaranteed and does not provide the specialist equipment required. MACA also requires that all civil options have been exhausted before it can be undertaken, including the commercial providers who could be contracted under this tender.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer: None

Clair Bell

6 June 2024

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signed

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date

