

# KENT COUNTY COUNCIL – RECORD OF DECISION

**DECISION TAKEN BY:**

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

**DECISION NO:**

24/00033

**For publication**

**Key decision: YES**

**Subject Matter / Title of Decision:** Coroners' Removals and Transfer Service Contract

**Decision:**

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

- To TENDER for the award of Contracts for the Coroners Removal and Transfer Service for the Kent and Medway coroners areas for an initial 3-year period, with an option to extend for up to 2 years;
- DELEGATE authority to the Director of Growth & Communities in consultation with the Cabinet Member for Community and Regulatory Services to take relevant actions, including but not limited to, awarding, finalising the terms of and entering into the relevant contracts or other legal agreements, as necessary, to implement the decision;
- DELEGATE authority to the Director of Growth & Communities in consultation with the Cabinet Member for Community and Regulatory Services to Award Renewals of the current contracts in accordance with the current clauses within the contract for the period 00:00 on 22nd May 2024 to 23:59 on 31st December 2024 to accommodate the required procurement process.

**Reason(s) for decision:**

The Coroners and Justice Act 2009 places a duty on Coroners to investigate deaths that are referred to them if they have reason to think that:

- The death was violent or unnatural;
- The cause of death is unknown; or
- The deceased died while in prison, police custody or another form of state detention.

In some cases, the Coroner will order a Post-Mortem (PM) to establish the cause of death. On behalf of the Kent Senior Coroners, KCC ensures access to body storage and PM facilities across the Kent and Medway coroner areas. When a PM is necessary there is a requirement that the deceased be transported to a designated mortuary. KCC puts contracts in place on behalf of the Kent and Medway Senior Coroners for such transportation with funeral service providers.

**Cabinet Committee recommendations and other consultation:**

The proposed decision was considered and endorsed by members of the Growth, Economic Development and Communities Cabinet Committee at their meeting on 14 May.

**Any alternatives considered and rejected:**

- **Direct Award of Coroners' Removals and Transfer Service Contract.** – This approach is not compliant with the Public Contracts Regulations 2015 and would bring significant risk of legal challenge. Lack of competition does not demonstrate compliance with the Council's Best Value Statutory obligations.

- **Do Nothing (Discounted)** – These Contracts support delivery of KCC’s statutory responsibilities with respect to the Coroners and Justice Act 2009. Suitable contractual arrangements are required to ensure security of supply and service rates.
- **Use of External Procurement Framework (Discounted)** – There are no available Frameworks that can be used to procure these localised services.
- **Delivery of Transport Service In-House (Discounted)** – The Council has not provided an in-house transport service to date. The Service would require the availability of trained staff 24/7 365 days per year; detailed cost information would need to be established to understand the viability of this option. This option can be explored in the long term. There may be some potential for efficiencies through delivery across a wider geographical area. Should this option be considered in future, the proposed initial contract term should not impact potential to bring this service in house

**Any interest declared when the decision was taken and any dispensation granted by the**

**Proper Officer:**

None

Clair Bell

7 June 2024

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signed

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date