



To: Full Town Council

Meeting Date: Tuesday 25th August 2026

Agenda Item 7e: Delegated Decision Report – Health & Safety Compliance: Cooled Drinking Water Provision

Report Author: Locum Town Clerk & RFO

1) Purpose of the Report

This report provides a formal written record of an operational decision taken by the Locum Town Clerk under delegated authority of the Financial Regulations 5.15 (a) and the councils Scheme of Delegation reference 7(4). This report outlines the statutory health and safety obligations, financial analysis, and governance justifications for procuring a freestanding bulk bottled water management system for the Council's outdoor Maintenance Team.

Financial Regulation Extract:

- *5.15. Individual purchases within an agreed budget for that type of expenditure may be authorised by: a) [the Clerk], under delegated authority, for any items below [£1,000] excluding VAT or the Deputy Town Clerk in the Town Clerks absence subject to the actions being recorded in a delegations register.*

Scheme of Delegation Extract:

- *7 (4) - The Clerk will have authority to act immediately on all Health and Safety or emergency issues without waiting for endorsement by the council or committee. Emergency expenditure may be incurred in accordance with the requirements of the councils Financial Regulations.*

2) The Core Resolution

At the meeting of the Personnel Committee held on the 04 August 2026, Members considered the health and safety update of the Worknest Consultant following their audit visit on 14 July 2026. Under the agenda item "Staffing Update," the Committee resolved:

- *That insulated water bottles be provided for the Maintenance Team and that bottled drinking water be made available during periods of hot weather.*

3) Actions by the Locum Clerk

The Clerk considered that a freestanding bottled water system represented the most practical and cost-effective means of implementing the Committee's resolution.

4) Statutory Urgency & Welfare Context

The independent WorkNest Health and Safety audit on 14 July 2026 identified concerns regarding arrangements to protect outdoor staff from heat-related risks whilst undertaking their duties.

- **Legal Liability:** In summary, the Employer has statutory health and safety duties to ensure, so far as is reasonably practicable, the health, safety, and welfare of employees at work. In addition, there is an implied contractual duty to provide a working environment that is reasonably suitable for employees to carry out their roles, which can extend beyond strict health and safety compliance. This includes taking reasonable steps to manage workplace temperatures and associated risks. Where weather conditions and the working environment are not properly managed, and an employee becomes unwell or sustains an injury as a result, there is a risk of claims, including a personal injury claim based on negligence or a claim arising from a breach of the implied duty to provide a suitable working environment. Failure to take reasonable steps to manage heat-related risks may expose the Council to potential liability if an employee becomes unwell or suffers injury as a result.
- **Operational Reality:** Prior to this installation, maintenance staff relied primarily on personal water bottles brought from home. The Maintenance Supervisor explicitly confirmed that some members of the Maintenance team refused to drink local tap water. The Clerk considered that providing insulated flasks alone may not have sufficiently addressed the welfare concerns identified during the audit.
- **Administrative Delay:** By mid-August, the agreed provision had not yet been implemented. The Locum Clerk considered it necessary to take action to ensure compliance with the Committee's resolution and address the identified welfare concerns.

5) Market Desktop Exercise & Cost-Benefit Analysis

Before entering into any agreement, a desktop internet scoping exercise was carried out to assess the most cost-effective way to provide bottled water for the 4 person maintenance team (expanding to 6 staff on 1 September). The Deputy Clerk also makes use of the cooled bottled water facility.

- **Option A: Procurement of Standard Retail Single-Use Plastic Bottles**
 - *Unit Cost:* A standard case of 24 x 500ml retail bottled water costs approximately £4.00 (£0.33 per litre).
 - *Consumption Analysis:* 5 staff drinking a conservative 2 litres per day during hot weather equals 10 litres (20 bottles) per day. This amounts to roughly £3.30 per day in water costs alone.
 - *Hidden Costs:* This option requires staff to drive to supermarkets during working hours to restock, requiring staff time to be diverted from operational duties. It also generates a greater volume of single-use plastic waste.
- **Option B: Bulk 19-Litre Bottled System (The Chosen Solution)**
 - *Unit Cost:* Sourcing bulk 19-litre water barrels at £7.49 per barrel brings the water cost to £0.39 per litre.
 - *Fixed Lease Costs:* By negotiating a commercial package, the Council secured a refundable £95.00 deposit, 3 months of free machine hire, and a fixed rate of £3.99 per month thereafter.
 - *Efficiency:* The 25 branded insulated flasks (purchased at a fixed, one-off cost of £264.70) are filled by staff from the bulk machine before they go out into the community. This keeps water ice-cold for their entire shift, reduces plastic waste to zero, and keeps staff on-site and working. These bottles will last for at least two to three years.

6. Full 3-Year Contract Cost Projection

Under the Council's Financial Regulations, the Town Clerk holds delegated authority to spend up to £1,000 for operational necessity and risk mitigation. The financial commitment for this 3-year contract splits as follows:

- **Refundable Deposit:** £95.00 (*Asset returned at contract end*)
- **Year 1 Machine Hire:** £35.91 (*9 months x £3.99; first 3 months free*)
- **Year 2 Machine Hire:** £47.88 (*12 months x £3.99*)
- **Year 3 Machine Hire:** £47.88 (*12 months x £3.99*)
- **Total Fixed Contract Cost:** £226.67

Note: Variable costs for the 19L water refills (£7.49 each) are pay-as-you-go and scale dynamically based on weather conditions and staff consumption.

7. Budgetary Provision

The procurement of a freestanding bottled water cooler and associated supplies represents a low-cost operational expenditure that falls within the Locum Clerk's delegated authority under the Council's Financial Regulations.

The fixed cost of the 36-month agreement comprises a refundable deposit of £95.00 and machine rental charges of £3.99 per month, with the first three months provided free of charge. Variable costs relate solely to the purchase of 19-litre water bottles on a pay-as-you-go basis and will vary according to operational requirements and seasonal demand.

The expenditure can be accommodated within existing Council budget and does not create a significant financial pressure on Council resources. The decision was therefore considered proportionate to the health and safety benefits delivered and represented a reasonable use of delegated authority.

8. Procurement Review & Implementation

Following implementation, clarification was sought regarding the interpretation of the Personnel Committee resolution and associated costs.

The Personnel Committee resolved on 4 August 2026 that insulated water bottles should be provided for the Maintenance Team and that bottled drinking water should be made available during periods of hot weather. Having considered the available options, the Locum Clerk concluded that a freestanding bottled water cooler supplied by 19-litre water containers represented the most cost-effective and practical method of implementing that resolution.

Concerns were also expressed regarding anticipated water consumption and the associated running costs. Initial operational data has since become available following installation of the unit on 17 August 2026. At a staff meeting held on 20 August 2026, the Maintenance Supervisor reported that, after four days of use by the Maintenance Team and office staff, approximately one-third of a single 19-litre water bottle had been consumed. Early indications therefore suggest that actual consumption levels are lower than some initial estimates.

Following review of the contractual arrangements, the supplier confirmed that the Council had secured a discounted commercial rate. It was further noted that early termination of the agreement would incur costs that would exceed the value of continuing with the contract. On that basis, continuation of the agreement was considered to represent the most financially prudent course of action.

Based on current usage levels, ongoing running costs are anticipated to remain modest. Consumption will continue to be monitored to ensure the arrangement remains cost-effective and provides value for money while supporting staff welfare and compliance with the Council's health and safety obligations.

9. Governance Conclusion

The total fixed contract value of £266.67 over the three year term sits comfortably below the Clerk's £1,000 delegated authority limit. The decision was considered to be within delegated authority, proportionate to the identified health and safety considerations, and financially sustainable within existing budgets. As termination costs would exceed the cost of continuing the agreement, continuation was considered the most financially prudent option.