

DELEGATED POWERS REPORT NO.

1757

SUBJECT: Award of Contract for the supply and installation of play area fencing in Friary Park.

Control sheet

All of the following actions MUST be completed at each stage of the process and the signed and dated report MUST be passed to the Governance Service for publishing

All reports		
1. Governance Service receive draft report	Name of GSO Date	Paul Frost 20/07/2012
2. Governance Service cleared draft report as being constitutionally appropriate	Name of GSO Date	Paul Frost 20/07/2012
3. Finance clearance obtained (<i>report author to complete</i>)	Name of Finance officer Date	Jayne Fitzgerald 13/07/2012
4. Staff and other resources issues clearance obtained (<i>report author to complete</i>)	Name of Resource officer Date	N/A
5. Strategic Procurement clearance obtained (<i>report author to complete</i>)	Name of SPO Date	Lesley Meeks 22/06/2012
6. Legal clearance obtained from (<i>report author to complete</i>)	Name of Legal officer Date	Steven Strange 16/07/2012
7. Policy & Partnerships clearance obtained (<i>report author to complete</i>)	Name of P&P officer Date	Andrew Nathan 20/06/2012
8. Equalities & Diversity clearance obtained (<i>report author to complete</i>)	Name of officer Date	Andrew Nathan 20/06/2012
9. The above process has been checked and verified by Director, Head of Service or Deputy	Name Date	Pam Wharfe 23/07/2012
10. Signed & dated report, <u>scanned or hard copy</u> received by Governance Service for publishing	Name of GSO Date	Paul Frost 24/07/2012
11. Report published by Governance Service to website	Name of GSO Date	Paul Frost 31/07/2012
12. Head of Service informed report is published	Name of GSO Date	Paul Frost 31/07/2012
Key decisions only:		
13. Expiry of call-in period	Date	N/A
14. Report circulated for call-in purposes to Business Management OSC members & copied to Cabinet Members & Head of Service	Name of GSO Date	N/A

ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER (EXECUTIVE FUNCTION)

Subject	Award of Contract for the supply and installation of play area fencing in Friary Park
Officer taking decision	Interim Director for Environment, Planning & Regeneration
Date of decision	23 July 2012
Date decision comes into effect	23 July 2012
Summary	Acceptance of the quotation from BW Services Limited for the supply and installation of play area fencing in Friary Park.
Officer Contributors	Tracy Sawyer Parks and Open Spaces Officer Jenny Warren, Greenspaces Service Manager
Status (public or exempt)	Public with separate Exempt Report
Wards affected	Coppetts
Enclosures	None
Reason for exemption from call-in (if appropriate)	Not Applicable
Key decision	No
Contact for further information: Tracy Sawyer, Parks and Open Spaces, Environment, Planning & Regeneration. Tel: 020 8359 7825, Email: tracy.sawyer@barnet.gov.uk	
Serial No. 1757	

1. RELEVANT PREVIOUS DECISIONS

- 1.1 Cabinet Resources Committee 30th November 2010 - Agenda Item 8 - Monitoring 2010/11. That the proposed Capital additions of £71,585 from S106 for the improvement of parks be approved. (Paragraph 9.6.1)

2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 2.1 The Corporate Plan for 2012-13 sets out the strategic objective to protect the Barnet environment. The play areas within the borough's parks contribute to this objective by enhancing the appearance of the borough and contribute to the popularity and importance of parks and open spaces.

3. RISK MANAGEMENT ISSUES

- 3.1 The replacement of the existing play area fence at Friary Park is essential in keeping the area free from dogs and keeping children safe. Failure to replace the fencing to the play area will result in the existing play area fence being taken down as it is not cost effective to repair and will leave the play area open.

I have considered whether the issues involved are likely to raise significant levels of public concern or give rise to policy considerations. They do not.

4. EQUALITIES AND DIVERSITY ISSUES

- 4.1 Pursuant to the Equality Act 2010, the Council and all other organisations exercising public functions on its behalf must have due regard to the need to: eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advance equality of opportunity between those with a protected characteristic and those without; promote good relations between those with a protected characteristic and those without. The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; Sexual orientation. It also covers marriage and civil partnership with regard to eliminating discrimination.
- 4.2 The Council is responsible for ensuring that all contracts for supplies, works and services are consistent with its equality & diversity obligations. The Council has a duty to promote equality of opportunity and the procurement process must ensure that this extends to parties carrying out work on behalf of the Council.
- 4.3 Installing fencing will provide users with a safe and well maintained environment to play. Gates will facilitate access for push chairs and wheel chairs and with the fencing will enable all children to play safely together.

5. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 5.1 The total cost for the supply and installation of play area specification bow top fencing at Friary Park is £12,800.00.
- 5.2 Quotations to carry out the works were sought from three contractors. The quotations received were as follows:

Contractor	Quotation
Contractor A	£19,294.00
Contractor B	£13,694.15
BW Services Ltd	£12,800.00

- 5.3 The identities of Contractor 'A' and Contractor 'B' are detailed in the accompanying exempt report
- 5.4 The purchase of the fencing is to be funded from the approved capital programme as referred to at section 1.1 above. The cost of the Friary Park fencing will need to be topped up from the Greenspaces revenue budget as there is a shortfall of £2,800.

6. LEGAL ISSUES

- 6.1 As the value of this contract is below the current European threshold (£173,934) the Public (Contracts) Regulations 2006 (as amended) do not apply.
- 6.2 The Treaty principles of transparency, fairness and non-discrimination do apply and must be met. On the basis of the information contained in the report the relevant provisions of the Council's Contract Procedure Rules have been met.
- 6.3 Officers must ensure that a written contract - capturing the terms and conditions which apply to the arrangement between the council and BW Services Limited – is completed and executed, on behalf of both parties.

7. CONSTITUTIONAL POWERS

- 7.1 Constitution Part 3 – Responsibility for Functions, Section 6, Item 6.1 - Chief Officers (i.e. the Chief Executive, Directors and Heads of Service as listed in Article 12) can take decisions without consultation with the Cabinet Member concerned where it is a decision authorised to be taken by the Chief Officer under the Contract Procedure Rules for approved schemes with sufficient estimate provision.
- 7.2 Council Constitution, Contract Procedure Rules, Paragraph 5.5 (Table 5-1) sets out authorisation and acceptance thresholds for works, supplies and services. As the contract value is below, £24,999 the Director/Assistant Director may Authorise the contract and may Accept the tender/quotation where it is the lowest or where it represents value for money and is the best available option for the Council.

8. BACKGROUND INFORMATION

- 8.1 There are 50 play areas located throughout the boroughs parks and open spaces.
- 8.2 The existing play area fence at Friary park is wooden, is over 25 years old and is in a state of disrepair. Monies from S.106 Agreements have been allocated to replace the fencing and extend the existing fence line to incorporate the additional play equipment installed in 2010, which is separated from the core play area by the existing fence.

- 8.4 The new fencing will be green metal bow top fencing which will be to play area specification and will include the installation of access gates where necessary. The longevity of this style of fencing far exceeds wooden fencing, providing better value for money.
- 8.5 Three contractors were requested to quote for the new fence at Friary Park and returned quotations as detailed at section 5 above. The lowest quotation of £12,800.00 was received from BW Services Limited and is recommended for acceptance.

9. LIST OF BACKGROUND PAPERS

9.1 None.

10. OFFICER'S DECISION

10.1 I authorise the following action:

10.2 That the Council enters into a contract with BW Services Limited for the supply and installation of play area fencing at Friary Park in the sum of £12,800.00.

Signed Pam Wharfe

**Interim Director for Environment ,
Planning & Regeneration**

Date 23/07/2012
