

	<p style="text-align: center;"><b>ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER 14/03/2017</b></p>
<p style="text-align: center;"><b>Title</b></p>	<p><b>Procurement of services to deliver Water sports Activities utilising LBB resources</b></p>
<p style="text-align: center;"><b>Report of</b></p>	<p>Head of Service, Early Intervention and Prevention</p>
<p style="text-align: center;"><b>Wards</b></p>	<p>All</p>
<p style="text-align: center;"><b>Status</b></p>	<p>Public</p>
<p style="text-align: center;"><b>Enclosures</b></p>	<p>None</p>
<p style="text-align: center;"><b>Officer Contact Details</b></p>	<p>Karen Ali, Youth Service Manager, Youth &amp; Family Support  <a href="mailto:Karen.ali@barnet.gov.uk">Karen.ali@barnet.gov.uk</a>                  020 8359 5281</p> <p>Maria Kaphouris, Procurement Manager  <a href="mailto:Maria.kaphouris@barnet.gov.uk">Maria.kaphouris@barnet.gov.uk</a>                  020 8359 5562</p>

### Summary

This report outlines the Council’s commitment to secure the services of a local organisation to deliver positive activities to Barnet Young People using our existing resources.

The paper seeks approval to procure services of a local organisation to deliver Water sports Activities using LBB equipment.

### Decisions

**To approve the commencement of a competitive procurement exercise for a local organisation to deliver Water sports Activities to Barnet young people using Council equipment for a three year contract term. The contract is anticipated to start on 3 April 2017.**

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 The London Borough of Barnet, Youth Service Team acquired Water sports equipment in 2012 to the value of £60k. The current delivery agreement for this equipment expires on 31 March 2017. We are therefore required to procure a local organisation to deliver Water sports activities to Barnet Young people for a three year period, achieving pre-defined delivery targets and objectives.

## **2. REASONS FOR DECISIONS**

- 2.1 Anticipated outcomes are:

- Identify a partner agency that is able to collect, maintain to required standards and store the equipment throughout the contract period.
- Identify a partner agency that can demonstrate that they have the capacity to deliver positive activities to young people who reside or are educated within the borough of Barnet.
- Identify a partner agency that is able to co-write funding bids to secure additional funding to develop resources and increase the delivery of activities to all young people.
- Identify a partner agency that is able to deliver activities in a safe and welcoming environment and can provide appropriate risk assessments for delivering Water sports activities with young people.
- Identify a partner agency that has the appropriate insurances including public liability insurance in place.
- Identify a partner agency who will offer an agreed number of hours/sessions per annum to Barnet young people.
- Identify a partner agency that is able to provide accurate reports and essential data relating to the delivery of activities to Barnet young people and other young people who have benefitted from accessing the equipment. This includes providing feedback of positive outcomes achieved by the young people.

- 2.2 The Council's Contract Procedure requires a full officer Delegated Powers Report for the procurement exercise process as this provision was not noted on the forward plan.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

- 3.1 The Youth Service have not considered or rejected any other options as this is the only appropriate course of action that is applicable to secure an appropriate local partner.
- 3.2 Do nothing. Refer to section 5.4 Risk Management.

#### **4. POST DECISION IMPLEMENTATION**

Following approval Barnet Council will go out to open tender with a specification for local partners who currently deliver Water sports activities with young people or who have the capacity to develop this area of specialised activity. The contract will be offered to the successful tenderer for a three year period.

#### **5. IMPLICATIONS OF DECISION**

##### **5.1 Corporate Priorities and Performance**

The delivery contract supports the Corporate Plan for ensuring that children are active and healthy.

- Making living in the borough more young people friendly: more and affordable youth activities
- Where possible, make living in the borough affordable, especially in the following areas: leisure activities
- Families and children are active and healthy. Partnership objectives include our plans to: work with partners to provide opportunities for children of all ages and abilities to get involved in a range of activities that are affordable
- Improve life chances
- Develop healthy lifestyles
- Improve overall health and wellbeing

##### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

This contract offers access to existing equipment purchased by the Council in return for activities for Barnet young people. There is no financial commitment attached to this contract as the equipment was acquired in 2012 and any maintenance cost will be the responsibility of the successful bidder.

The correct procurement route for this provision will be a Request for Proposal via the council e-tendering portal Curtis Fitch. Proposals will be sourced via the portal for a provider to use the available equipment to provide delivery of this contract.

This is 100% Technical.

### 5.3 Legal and Constitutional References

The proposed procurement is for a below threshold public services concession contract.

Clause 10 of Barnet's CPRs stipulates that the following requirements apply:

- The award of the contract should involve the transfer to the concessionaire of an operating risk in exploiting the works or services encompassing demand or supply risk or both.
- The part of the risk transferred to the concessionaire should involve real exposure to the vagaries of the market, such that any potential estimated loss incurred by the concessionaire is not merely nominal or negligible.

The concessionaire shall be deemed to assume the operating risk where, under normal operating conditions, it is not guaranteed to recoup the investments made or the costs incurred in operating the works or the services which are the subject-matter of the Concession Contract.

The same general principles that apply to other procurement rules also apply; in particular, the Council must treat providers equally and without discrimination and must act in a transparent manner.

The Council's Constitution and Contract Procedure Rules (Appendix 1 Table A) details that decisions with a procurement value of between £25,001 - £164,176 that are not included on the Procurement Forward Plan need to be approved by Full Officer DPR. There is no additional procurement of goods associated with this contract. Therefore no quotations are required.

As the activity was not included on the Forward Plan, a Full Officer DPR is required to authorise this procurement activity. The award of the contract, is in line with the Contract Procedure Rules, and will be confirmed by means of a Summary DPR.

Section 8.3 of the Contract Procedure Rules requires that all Procurements for goods and services over £25,000 must be advertised on Contracts Finder within 24 hours of the time when the Procurement is advertised in any other way.

Sections 5.3 of the Contract Procedure Rules require that HB Public Law must approve the T&C's used in the procurement.

The Scheme of Delegation for Children and Young People, as published on the council's website, states that the Head of Service, Early Intervention and Prevention has the authority to commence a procurement process between £25,001 to £164,176.

## **5.4 Risk Management**

If the contract is not awarded, we would then have to secure extensive storage space at substantive cost to the service to accommodate the water sports equipment. We currently do not have capacity or the necessary expertise within the existing staff team to deliver this type of specialised activity.

To ensure that we secure an appropriate partner we shall engage in market research to ensure that we invite all appropriate agencies and organisation to consider submitting an application to deliver.

All interested agencies and organisation will be invited to an 'open day' to gain a clear understand of the contract offer as well as exploring how we would effectively work together.

## **5.5 Equalities and Diversity**

The procurement process to be followed will be in accordance with the Contract Procedure Rules, ensuring that successful bidders abide by the London Borough of Barnet's Equalities Policy and keep abreast of equality and diversity issues. Providers will be expected to meet the needs of service users from diverse backgrounds and ethnic minority backgrounds. Providers are required to ensure the implementation of the Council's Equalities Policies in relation to all aspects of service delivery.

## **5.6 Consultation and Engagement**

We are planning to hold an 'open day' for all interested organisations to meet with the Youth Service to gain a clear understanding of the contract offer; the reporting process; and to engage in a dialogue to 'understand' how we would work together.

## **6. BACKGROUND PAPERS**

6.1 None.

## **7. DECISION TAKER'S STATEMENT**

7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations.*

**8. OFFICER'S DECISION**

**Signed** Helen Gregson-Holmes, Head of Service, Early  
Intervention and Prevention

---

**Date** **14/03/2017**

---

---