

DELEGATED POWERS REPORT NO.

SUBJECT: Hendon Leisure Centre Roof Repairs

Control sheet

All reports		
1. Governance Service receive draft report	Name of GSO Date	Paul Frost 18/10/12
2. Governance Service cleared draft report as being constitutionally appropriate	Name of GSO Date	Paul Frost 18/10/12
3. Finance clearance obtained (<i>report author to complete</i>)	Name of Finance officer Date	Jayne Fitzgerald 13/11/12
4. Staff and other resources issues clearance obtained (<i>report author to complete</i>)	Name of Resource officer Date	Not applicable
5. Strategic Procurement clearance obtained (<i>report author to complete</i>)	Name of SPO Date	Lesley Meeks 17/10/12
6. Legal clearance obtained from (<i>report author to complete</i>)	Name of Legal officer Date	Sheila Saunders 18/10/12
7. Policy & Partnerships clearance obtained (<i>report author to complete</i>)	Name of P&P officer Date	Andrew Nathan 26/10/12
8. Equalities & Diversity clearance obtained (<i>report author to complete</i>)	Name of officer Date	Andrew Nathan 26/10/12
9. The above process has been checked and verified by Director, Head of Service or Deputy	Name Date	Pam Wharfe 13/11/12
10. Signed & dated report, <u>scanned or hard copy</u> received by Governance Service for publishing	Name of GSO Date	Chidilim Agada 19/11/12
11. Report published by Governance Service to website	Name of GSO Date	Chidilim Agada 19/11/12
12. Head of Service informed report is published	Name of GSO Date	Chidilim Agada 19/11/12
Key decisions only:		
13. Expiry of call-in period	Date	Not applicable
14. Report circulated for call-in purposes to Business Management OSC members & copied to Cabinet Members & Head of Service	Name of GSO Date	

**ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER
(EXECUTIVE FUNCTION)****Subject** Hendon Leisure Centre Roof Repairs**Officer taking decision** Interim Director of Environment,
Planning and Regeneration**Date of decision** 13 November 2012**Date decision comes into
effect** 13 November 2012

Summary	This report seeks approval to authorise a tender exercise for the repair of Hendon Leisure Centre Roof
----------------	--

Officer Contributors Matthew Gunyon, Leisure Contracts Manager**Status (public or exempt)** Public**Wards affected** Golders Green**Enclosures** None**Reason for exemption from call-
in (if appropriate)** No applicable**Key decision** Yes/No

Contact for further information: Matthew Gunyon, Leisure Contract Manager, Greenspaces
(Environment Planning and Regeneration), 020 8359 7403,
matthew.gunyon@barnet.gov.uk

Serial No.

1. RELEVANT PREVIOUS DECISIONS

- 1.1. Cabinet, 9 September 2002 (Decision item 8) – agreed to award preferred Partner Status to Greenwich Leisure Ltd (GLL) to manage and operate the Council's Leisure Facilities; and gave approval to negotiate and finalise the contract.
- 1.2. The Leader of the Council approved, by means of a delegated powers report on 31 December 2002, the commencement of the partnership with GLL on 1 January 2003 and that the necessary financial and budgetary provisions are made.

2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 2.1 The repair works for Hendon Leisure Centre are in support of the 2012/13 Corporate Plan and the Corporate Priority *a Successful London Suburb* by protecting the Barnet environment.

3. RISK MANAGEMENT ISSUES

- 3.1 Under the current contract the Council is responsible for any repair, refurbishment or replacement relating to roofs and structure for each of the Leisure facilities. There is no long term investment or refurbishment plans for the Leisure Facilities within the current contract so all reactive repairs have to be funded from either the revenue budget or a Capital bid.
- 3.2 The damage to the roof currently causes water to drip on to the pavement rather than be taken away by the in built guttering during the winter this causes patches of ice which pose a slip risk.
- 3.3 Due to the damage in the roofs soffits pigeons nest inside the roof voids which leads to pigeon excrement being dropped onto the pavement which looks unsightly but is also a risk as it could carry dangerous diseases if not dealt with appropriately.

4. EQUALITIES AND DIVERSITY ISSUES

- 4.1 The Tenders will be requested from suppliers listed on the London Construction Programme Framework contract. Suppliers on the Framework have already been through Equalities and Diversity checks as part of the Tender exercise which was completed to form the Framework.

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

- 5.1 The repairs are estimated to cost up to £60,000 and will be contained within the Leisure revenue budgets..
- 5.2 The Tenders will be evaluated on price and quality to ensure the Council is receiving value for money and a quality service.

6. LEGAL ISSUES

- 6.1 Procurement processes must comply with the European procurement rules and the Treaty obligations of transparency, equality of treatment and non discrimination, as well as the Council's Contract Procedure Rules.
- 6.2 The public procurement regulations apply whenever a contracting authority whether by itself, or through a third party, seeks offers in relation to a proposed public 'works' 'supply' or 'service' contract, the value of which exceeds certain financial thresholds. The public procurement regulations make a distinction between two categories of services. Schedule 3 to the Public Contract Regulations 2006 contains two lists of categories of services. The first list, which appears in Part A, contains description of services which are subject to the full application of the rules under the public procurement regulations. If a service in Part A exceeds the relevant threshold, it is subject to the full public procurement regulations, such as the obligation to subject the service to advertisement before an award of contract. The stated value for each of the proposed contract is below the relevant threshold.
- 6.3 Contracting authorities are still required to comply with the Treaty on the Functioning of the European Union (formerly the EC Treaty principles) in the way they carry out procurements and also to obtain value for money. These principles apply to all procurements with a "cross-border interest", whether or not the full procurement regime applies. This means that the contracting authority is expected to ask itself whether there is a market for these services in other member states and if so what form of appropriate notification and advertisement should apply before an award of contract.

7. CONSTITUTIONAL POWERS

- 7.1 The Council's constitution in Part 3, Responsibility for Functions, paragraph 6.1 states that Chief Officers can take decisions to discharge functions allocated to them or dealt with by them or their staff in all matters where they have managerial or professional authority. Chief Officers can authorise and accept quotations for contracts to the limits placed on them by the Contract Procedure Rules as set out in the Councils Constitution.

8. BACKGROUND INFORMATION

- 8.1 The Hendon Leisure Centre forms part of the leisure contract which the Council has with GLL. As noted in the Risk section of this document, the Council retains the responsibility for the repair and maintenance of the roofs and structures of all the facilities that form the contract with GLL.
- 8.2 Failure to complete these repairs could mean the pigeons nesting in the roof soffits could work their way deeper into the roof and cause further damage which could result in roof leakages.
- 8.3 If the damage is left unrepaired issues detailed in Risks 3.2 and 3.3 will continue to deteriorate and the risk will increase.

9. LIST OF BACKGROUND PAPERS

9.1 None.

10. OFFICER'S DECISION

I authorise the following action:

10.1 That a tender exercise be authorised to seek an appropriate contractor to complete the required repair works to the Hendon Leisure Centre roof.

Signed

Pam Wharfe

Interim Director of Environment, Planning and
Regeneration

Date

13/11/12