



RECORD OF DELEGATED DECISION (OFFICER)

CONTRACT AWARD

1. Decision Reference No.	CEX259
2. Name/Title of Officer	Edd de Coverly Chief Executive
3. Email address of Officer	edecoverly@melton.gov.uk
4. Title / Subject Matter:	Contract Award – Development of a Leisure Procurement Strategy and specification
5. Type of Decision:	Public
6. Key Decision?	No

7. Decision Taken:

1. To award the contract to SLC through the ESPO framework for the delivery of a leisure procurement strategy and additional specialist advice relating to the procurement of a new leisure operating contract in Melton Borough.
2. To enter into any necessary legal documentation to effect the award.
3. Authority to access the Corporate Priorities Reserve to draw down £36k to fund the contract.

8. Reasons for Decision:

The Council's current leisure centre contract ends in March 2024. To ensure service continuity, it is necessary for the council to procure a new contract to take effect from April 2024.

Specialist technical support is required to prepare the evidence base and rationale for the procurement, through the development of a leisure procurement strategy. This will also inform the contract specification for a leisure contract (operator for the day-to-day operation of the leisure centres) from April 2024. The council requires sector specific expertise to support the pre planning and development of a leisure procurement strategy. At a time of significant pressure on the leisure sector, this expertise and understanding of the leisure sector is vitally important.

This document will inform the final specification that will be taken to market. The SLC team will provide specialist advice when required to support council officers through the procurement exercise and subsequent technical evaluation that will be required to select the preferred bidder. They will also undertake works to ensure that the Council receives best value for money through future leisure

centre operating contracts.

The supplier (SLC) has been procured through a framework (ESPO) and is in compliance with the contract procedure rules, and all necessary due diligence has been carried out. In order to fund this work, £36,000 will be allocated from the corporate priorities reserve.

9. Authority / Legal Power:

The Council has the power to enter into contracts in order discharge its functions (Local Government Act 1972, s111 and the Local Government (contract) Act 1997, s1).

The Chief Executive has delegated authority to incur one-off expenditure to support the needs of the organisation and corporate priorities from earmarked and general reserves up to a limit of £100,000. This includes the Corporate Priorities Reserve.

10. Background Papers attached?

No

[Proposal for leisure procurement support - commercially sensitive under exemption paragraph 3]

11. Alternative options available / rejected:

The Council could choose not to secure specialist advice. This has not been recommended as procurement of a leisure contract is a specialist area and an area that the Council does not have expertise. Additionally, the challenges faced by the leisure sector at present increase the complexity of the work and sector knowledge and expertise is critical to support the Council to achieve an evidence led and viable proposal / leisure procurement contract specification. This will be an extremely complicated and challenging procurement and evaluation process for future leisure centre operation. It could not be effectively completed without having appropriate advisory support in place to ensure delivery is successful by the time mobilisation is required in April 2024.

12. Implications:

Legal

The Council has the power to enter into contracts in order discharge its functions (Local Government Act 1972, s111 and the Local Government (contract) Act 1997, s1). The Local Government Act 1972 requires the Council to have regulations for how it enters into contracts. In addition to complying with all relevant UK and EU legislation every contract entered into on behalf of the Council must also comply with the Council's Contract Procedure Rules and the Council's Financial Regulations.

The Council's Contract Procedure Rules permits Chief Officers, subject to complying with EU requirements, to authorise participation in a framework agreement where it can be shown that the framework:

- Offers value for money,
- Offers single savings in the cost of procurement

If the above criteria is satisfied, entering a framework agreement will reduce the risk of challenge for the Authority

	<p>The Chief Executive has delegated authority to incur one-off expenditure to support the needs of the organisation and corporate priorities from earmarked and general reserves up to a limit of £100,000. This includes the Corporate Priorities Reserve.</p> <p>[Legal Approval - 09 November 2022]</p>
Finance	<p>A supplementary estimate of £36,000 will be required to fund this work which will be allocated from the corporate priorities reserve using the delegated authority to the Chief Executive to access this.</p> <p>The current balance on the corporate priorities reserve will be just under £1m based on the approvals to date in 2022/23.</p> <p>[Finance Approval – 10 November 2022]</p>
HR	Not applicable
Procurement	<p>Procurement and advice has been taken to ensure that contract award via the ESPO framework is compliant with Contract Procedure Rules.</p> <p>The supplier (SLC) has been procured through a framework (ESPO) and all necessary due diligence has been carried out.</p> <p>[Procurement Approval - M Fisher – 09 November 2022]</p>
Other	<p>The following checks have been carried out in relation to the contract provider:</p> <ul style="list-style-type: none"> - Financial credit checks - Insurance certificates - Health and safety policies <p>(via ESPO framework)</p>
13. Signature of Decision Maker with authority to sign :	<p>Email approval received Edd de Coverly Chief Executive</p>
14. Consultation with:	Not applicable
15. Date:	9 November 2022
16. Officer Responsible for Procurement	I confirm compliance with the Contract Procedure Rules Lee Byrne, Regeneration Manager

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