

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	4746
Author:	Thomas Nelson
Department:	Resident Services
Contact:	Thomas Nelson (Job Title: General Manger, Email: thomas.nelson@nottinghamcity.gov.uk, Phone: 07860179072)
Subject:	Supply and Delivery of Leisure Centre Swimming Pool Chemicals
Total Value:	Up to £300,000 over the total length of the contract, including the potential extensions (Type: Revenue)
Decision Being Taken:	<p>To approve the associated spend of up to £300,000 and procurement process for the supply and delivery of swimming pool chemicals across the authority's leisure facilities to ensure compliant future contracting of these services on the basis of a 3 year contract, plus the option of 2 further years</p> <p>To delegate authority to the Head of Sport, Community and Leisure Centres to agree the outcome of the tender and award and sign off the contact with the successful provider</p>
Reasons for the Decision(s)	<p>Adequately equipped swimming pool chemicals are essential to ensure pools can open for residents/customers/members to be able to safely swim at leisure centres.</p> <p>This is an essential provision for the continued operation of the pools. The existing contract needs renewing and the Council needs to demonstrate best value for money while sourcing the most economic supplier; therefore a new tender process is required to demonstrate we meet these requirements.</p> <p>If the Council does not have adequate pool chemicals the pools will not be able to open and it would have a considerable impact on customers/residents/members experience and could result in increased complaints and membership cancellations, which in turn will have a negative impact on income.</p> <p>The spend will come from the approved budget for pool chemicals.</p>

Other Options Considered: The original contract was extended when it came to its end and now needs updating. There may be other suppliers new to the market and best value should be sought. There have been no issues with the existing supplier, other than a worldwide shortage affecting all suppliers. An updated contract would protect the council from any short term changes and cost increases while also providing additional contractual protection.

If the Council does not have adequate pool chemicals the pools will not be able to open and it would have a considerable impact on customers/residents/members experience and could result in increased complaints and membership cancellations, which in turn will have a negative impact on income. The centres cannot operate without these goods and services. Therefore this option is rejected.

Background Papers: None

Published Works: None

Affected Wards: Berridge, Bestwood, Bilborough, Bulwell, Clifton East, Clifton West, St Ann's

Colleague / Councillor Interests: None

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: It is not envisaged that this decision will have an impact or effect on crime and disorder. However without sufficient pool chemicals the swimming pools would not be able to open - which could have a negative impact on increased anti-social behaviour and disorder.

Equality: EIA not required. Reasons: The decision does not represent proposals for a new or changing policy, service or function.

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 19/10/2022

Advice Sought: Legal, Finance, Procurement

Legal Advice:

The report seeks authority to approve the associated spend and procurement process for the supply and delivery of swimming pool chemicals across the authorities leisure facilities to ensure compliant future contracting of these services on the basis of a 3 year contract, plus the option of 2 further years. The intention is also to delegate authority to the Head of Sport, Community and Leisure Centers to agree the outcome of the tender and award and sign off the contact with the successful provider.

There are no significant legal issues arising from the report as undertaking a procurement process through the Council's corporate procurement team with ensure compliance with the Council's Contract Procedure Rules and Public Contract Regulations 2015 (if applicable as a result of the relevant regulation threshold of £213,477 being reached).

Legal advice and support will be provided with regard to the contracting arrangements to be put in place.

The exemption under para 3 Part 1 and para 10 Part 2, Sch 12A and s100I Local Government Act 1972 applies, as to disclose the estimated contract value prior to the commencement of the procurement process would prejudice the Council's negotiating position and efforts to achieve best value through the tender process. Advice provided by Richard Bines (Solicitor) on 08/09/2022.

Finance Advice:

This decision seeks approval to incur expenditure of up to £0.300m in respect of swimming pool chemicals, which are essential for the operation of the Council's leisure centres. The expenditure will take place following a compliant procurement process to ensure value for money. The expenditure is affordable as it will be resourced from approved budgets in the Medium Term Financial Plan.

The Sports & Leisure service area has a budgeted income target of £4.892m for 2022/23, increasing to £5.719m in 2023/24 for customer fees and charges. This expenditure will support the delivery of this income target.

Advice provided by Maria Balchin (Finance Analyst) on 22/09/2022.

Procurement Advice:

Procurement will assist in sourcing the most commercially viable and appropriate solution for the Council. Advice provided by Holly Fisher (Lead Procurement Officer (Products)) on 16/08/2022.

Signatures

Pavlos Kotsonis (Portfolio Holder for Leisure, Culture and Planning)

SIGNED and Dated: 11/10/2022

Frank Jordan (Corporate Director, Resident Services)

SIGNED and Dated: 10/10/2022