

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	2902
Author:	Colin Eley
Department:	Communities
Contact:	Colin Eley (Job Title: NGB & Partnership Development Officer, Email: colin.eley@nottinghamcity.gov.uk, Phone: 07958296150)
Subject:	To approve payment of Schools Out holiday provision from April 2017 to March 2018
Total Value:	82,333.50 (Type: Revenue)
Decision Being Taken:	<p>1) To approve payment of funds associated with the city's 'Schools Out' programme to the sum of £82,333.50 to Notts County Football in the Community (NCFiTC) for continued provision of the programme from April 2017 until March 2018.</p> <p>2) To approve dispensation from the requirement of Contract Procedure Rule 5.1.2 to obtain 3 tenders in accordance with the Financial Regulation 3.29, for operational reasons.</p>
Reasons for the Decision(s)	<p>1) Referring to attached briefing note - Schools Out runs from city leisure facilities, operating during school holidays. The programme offers 230 daily places at 5 locations, equating to approx. 12,000 attendances per year. The scheme charges £1 a day for this provision, which supports low cost, affordable access to childcare provision, especially for working parents. This provision has previously been funded via Big Lottery Funding and a further submission to this funding stream was submitted for 2017/18 delivery. In addition to the cost of the scheme, Nottingham City Council Sport & Leisure provide the facility for the scheme in kind, therefore forgoing any rental for the space during the holiday period.</p> <p>2) It is proposed that delivery is maintained by the same provider as timescale would not allow for completion of a full competitive tender process.</p> <p>Key rationale for dispensation is as follows:</p> <ul style="list-style-type: none">- Timescale of programme (underway) - With the need for provision during Easter holiday period, the late decision from Big Lottery funding means programme had already commenced.- Incumbent provider of programme - programme was required during Easter so provider already in place.- Provider will serve as 'temporary fix' until end of annual programme (February 2018). A full competitive tendering process can begin this year with view to go out for the following years programme which will commence in March 2018.

Briefing notes documents:	OPBN Schools Out _ Update and Future Options.doc
Other Options Considered:	1) Cease operation of whole Schools Out programme, having a negative impact on Nottingham citizens in respect to limiting options for low cost affordable holiday provision available in the city.
Background Papers:	N/A
Published Works:	N/A
Affected Wards:	Citywide
Colleague / Councillor Interests:	None
Dispensation from Financial Regulations:	Yes
Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	The Schools Out programme will provide a regular schedule of diversionary activities across the city. Addressing levels of anti-social behavior and reducing the potential for crime through providing opportunities to engage in positive activities.
Equality:	Please login to the system to view the EIA document: EIA Schools Out 2017-18.doc
Decision Type:	Portfolio Holder
Subject to Call In:	No
	The call-in procedure does not apply to the proposed decision because the delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The Chair of the Overview and Scrutiny Committee (or Vice-Chair) in his/her absence has been consulted and agreed both that the decision proposed is reasonable in all circumstances and that it should be treated as a matter of urgency.
	Person Consulted: none
	Consultation Date: 31/07/2017
	This decision is retrospective and therefore not subject to call-in.

Advice Sought:

Legal, Finance, Procurement, Equality and Diversity

Legal Advice:

This decision seeks the approval of interim funding to continue a school holiday leisure provision. Previously this provision has been financed via a Big Lottery Fund Grant to Notts County in the Community with partnership support from the City Council. A recent bid for funding has been unsuccessful. This decision recommends that the City Council provide funding to enable this years programme to continue as it provides affordable holiday childcare provision in the city.

In the meantime, the Council will review and seek alternate funding streams for future years provision and will carryout a competitive procurement exercise if so required.

A dispensation from contract procedure rules is required given the level of funding and the need to make a contract award directly to the existing Provider. The reasons to justify such dispensation is to enable the continuity of an affordable leisure provision by a known Provider and because the provision needs to be in place for the 2017 School Summer holidays so there is a tight timescale.

Advice provided by Connie Green (Solicitor) on 16/06/2017.

Finance Advice:

This decision seeks approval to incur expenditure totalling £82,333.50, which will be funded as follows:

- 1. £55,734.00 will be funded from corporate contingency approved by Councillor Chapman in May 2017 (ref CCR001)**
- 2. £26,600.00 can be contained from the Sports and Leisure operational budget.**

The decision seeks dispensation from contract procedure rule 5.1.2 is required under financial regulation 3.29 for operational reasons due to the short timescale in delivering the activities for the 2017 summer programme.

Advice provided by Maria Balchin (Finance Analyst) on 24/05/2017.

Procurement Advice:

This report seeks approval, using clause 3.29 of the financial procedure rules on grounds of operational issues to dispense with the requirement under clause 5.1.2 under the contract procedure rules to seek tenders. If dispensation is granted, then the requirements of the contract procedure rules will be satisfied and there will be no procurement concerns.

Having discussed the background of the late funding from the Big Lottery, procurement supports this proposal as a 'temporary fix' to allow a full competitive tendering process to begin to ensure compliance going forward. On this basis, procurement do not have any significant concerns.

Advice provided by Rosalie Parkin (Category Manager) on 22/05/2017.

Equality and Diversity Advice:

The EIA accurately reflects all the considerations required re: this proposal. Advice provided by Adisa Djan (Equalities and Diversity Consultant) on 15/06/2017.

Signatures

David Trimble (Portfolio Holder for Leisure and Culture)

SIGNED and Dated: 26/07/2017

Andrew Vaughan (Corporate Director Commercial and Operations)
SIGNED and Dated: 14/07/2017
Geoff Walker (Strategic Director Finance/CFO) - Dispensation from Financial Regulations
SIGNED and Dated: 22/06/2017
Chief Finance Officer's Comments: