

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

<b>Reference Number:</b>	<b>3779</b>
<b>Author:</b>	<b>Claire Moores</b>
<b>Department:</b>	<b>Children and Adults</b>
<b>Contact:</b>	<b>Claire Moores</b> <b>(Job Title: School Swimming Manager, Email: claire.moores@collegest.org.uk, Phone: 01159476202)</b>
<b>Subject:</b>	<b>External Swimming Provision</b>
<b>Total Value:</b>	<b>£159,000 (Type: Revenue)</b>
<b>Decision Being Taken:</b>	<b>To grant dispensation from Contract Procedure Rule 5.1.2, in accordance with Financial Regulation 3.29, to enter into contracts for pool hire and swimming instruction at The Lenton Centre and Portland Leisure Centre, for up to 3 years (1+1+1 at a cost of £53,000 per year) starting on 1 September 2020.</b>
<b>Reasons for the Decision(s)</b>	<b>The geographical locations for both swimming centres will ensure the city's carbon foot print is minimised by reducing or removing the needs for travel to other larger leisure centres in the city by using coaches at a further cost to the school. The schools only in the geographical areas of Portland and Lenton will utilise the associated pools to allow school pupils to participate in swimming lessons not losing valuable learning time within the school day.</b>
<b>Other Options Considered:</b>	<b>Using coaches to bus children to another city owned lesiure centre was rejected as it could reduce the number of swimming lessons schools book due to have the financial implication of paying for transport.</b> <b>Going out to tender for a swim school provision was rejected due to the need to keep the provision local to school area to aviod the risk of additional transport costs and the potential reduction of lessons that the school could afford.</b>
<b>Background Papers:</b>	<b>None</b>
<b>Published Works:</b>	<b>None</b>

<b>Affected Wards:</b>	<b>Berridge, Lenton and Wollaton East, Radford</b>
<b>Colleague / Councillor Interests:</b>	<b>None</b>
<b>Dispensation from Financial Regulations:</b>	<b>Yes</b>
<b>Consultations:</b>	<b>Those not consulted are not directly affected by the decision.</b>
<b>Crime and Disorder Implications:</b>	<b>No negtive implications, participation and engagment could support long term use of the leisure facilities and future pathways to enjoy, develop and create relationships</b>
<b>Equality:</b>	<b>EIA not required. Reasons: The provision secures participation only, and engages the local community and local business</b>
<b>Social Value Considerations:</b>	<b>N/A</b>
<b>Decision Type:</b>	<b>Portfolio Holder</b>
<b>Subject to Call In:</b>	<b>Yes</b>
<b>Call In Expiry date:</b>	<b>31/01/2020</b>
<b>Advice Sought:</b>	<b>Legal, Finance, Procurement</b>
<b>Legal Advice:</b>	<p><b>There are no significant legal issues arising from this decision. The Council may grant a dispensation from its Contract Procedure Rules for operational reasons. Those reasons have been set out within this decision and are supported by Legal Services. Legal support will be provided in the preparation of contract documents.</b></p> <p><b>Advice provided by Naomi Vass (Senior Solicitor) on 30/12/2019.</b></p>

**Finance Advice:**

This decision seeks to grant exemption from the need to go to tender to procure the external swimming services, in accordance with Contract Procedure Rule 5.1.2.

The value of the direct award contract has been outlined as £53,000 per year, for up to 3 years, so the total value of contract is expected to be £159,000.

As it has been outlined that no service would be available to be procured on the open market, to provide the service and therefore minimise transport costs, and environmental impact, for the value of this contract, this decision is supported by finance. Advice provided by Graeme Black (Commercial Business Partner) on 10/01/2020.

**Procurement Advice:**

The proposals in this decision to award contracts for pool hire and swimming instruction will enable the delivery of school swimming lessons in geographical locations near to the schools, thereby minimizing transport costs and impact and maximizing the accessibility of swimming lessons to pupils. It would not be feasible to procure this provision through an open market exercise due to the need for the lessons to be delivered at the pools located close to the schools. Therefore dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 is supported from a procurement perspective. Advice provided by Jo Pettifor (Procurement Team Manager) on 05/12/2019.

**Other Advice:**

NA

**Signatures**

Neghat Khan (PH Early Years, Education and Employment)  
**SIGNED and Dated: 23/01/2020**

Catherine Underwood (Corporate Director for People)  
**SIGNED and Dated: 23/01/2020**

Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations  
**SIGNED and Dated: 21/01/2020**

Chief Finance Officer's Comments: