

Public Document Pack

Officer Decisions

Friday, 21st December, 2018
Time Not Specified

AGENDA

1. **Witton Park all weather pitch changing room refurbishment**
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2. **King Georges Hall bar products and services contract**
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Date Published: 21st December 2018
Harry Catherall, Chief Executive

RECORD OF DECISION TAKEN UNDER DELEGATED POWERS OUTLINED IN THE CONSTITUTION – Part 3 Section 16



DELEGATED OFFICER DECISION Martin Eden
TAKEN BY:
PORTFOLIO
AREA: Leisure Culture and Young People

SUBJECT: Witton Park All Weather Pitch Changing Room Refurbishment.

1. DECISION

- To approve the procurement and tender process for the refurbishment of the changing room block which services the groups, who use the all-weather pitches, based within Witton Country Park.
- To approve the successful tenderer subject to Football Association Funding being made available to fund the works.

2. REASON FOR DECISION

The proposed changing room refurbishment forms part of a larger scheme that will be part funded by the Football Association via the Football Foundation grant approval process and section 106 contributions. The tender estimates are that the changing rooms will cost in the region of £300,000.

The Witton Park Changing Room Refurbishment was advertised on the Chest as an open tender, the closing date for submissions was 12 noon on the 30th November 2018. A total of 15 tenders were submitted 4 of which were non complaint bids. Each submission was scored on 100% price.

The tenders were within the budget available with the successful tender being lower in price than the proposed budget. The Contractor who submitted the lowest priced tender scored 100%.

The winning tender price will be submitted to the Football Association to their grants approval team panel who will consider the merits of the scheme and confirm match funding to finance the project.

The new facilities will operate in accordance with a business plan which will ensure the sustainability of the facilities for many generations to come and will fulfil both the Council and Football Association priorities.

I recommend that Blackburn with Darwen Borough Council, subject to grant approval from the Football Association, appoint the successful tenderer and Principal Contractor for the Witton Park Changing Room Refurbishment.

3. BACKGROUND

The changing rooms adjacent to the all-weather pitches at Witton Park are dilapidated and are not deemed suitable for the proposed user groups who will use the two new 3G football pitches which are to be developed on site. The newly refurbished changing facility will include classroom facilities to cater for the three main daytime user groups, namely; Blackburn College, Blackburn Rovers Community Trust and Creative Living Support Limited. The changing facility will also include a kitchen which will provide food and drink for the many users planned to use the site. A new disabled access ramp will ensure that the facility is DDA complaint and there will also be an external tidy up of the facility.

4. OPTIONS CONSIDERED AND REJECTED

- 1) Close the facility (Considered and rejected)
- 2) Redevelop the facility paid for by the council (considered rejected)
- 3) Work with the FA to deliver a best value match funding scheme for the Borough.
(Approved)

Further information is available via the following link [] or from the report author

5. DECLARATION OF INTEREST

All Declarations of Interest of the officer with delegation and the any Member who has been consulted, and note of any dispensation granted should be recorded below:

VERSION:	1
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CONTACT OFFICER:	Graham Harris
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DATE:	14/12/2018
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BACKGROUND DOCUMENTS:	
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Signed:



Director Martin Eden	Date: 18 - 12 - 2019
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RECORD OF DECISION TAKEN UNDER DELEGATED POWERS OUTLINED IN THE CONSTITUTION – Part 3 Section 16



DELEGATED OFFICER DECISION Martin Eden
TAKEN BY:
PORTFOLIO
AREA: Leisure Culture and Young People

SUBJECT: King Georges Hall Bar Products and Services contract

1. DECISION

To approve the award of a contract to JW Lees Ltd for the supply of bar products and services to King Georges Hall.

2. REASON FOR DECISION

The current contract was due to expire and as a result there was a need to undertake a procurement exercise. The procurement opportunity was advertised in the Official Journal of the European Union (OJEU) and on the Council's e-tendering portal –The Chest. Companies were invited to complete a selection questionnaire and then submit their pricing via an electronic auction to identify the best value for money option. JW Lees Ltd finished in first place following the e-auction.

The proposed contract period is for three years with the option to extend for a further 12 months.

3. BACKGROUND

The principal purpose of the contract is to identify the 'best fit' supplier of all types of alcoholic and non-alcoholic beverages who will play a proactive partnership role in the development of a comprehensive catering service delivery to the wide range of user groups utilising the licensed catering venues of Blackburn with Darwen Council.

The licensed premises owned and operated by Blackburn with Darwen Borough Council constitute a varied commercial portfolio offering a mix of entertainment, conferencing, and catering delivery unique to the North West of England.

King George's Hall has several commercial elements, which combine effectively to promote its position as the cultural and leisure centre of Blackburn.

MAIN HALL – Serviced by 4 bars, the Main Hall can seat 1800 and 2300 standing for a Theatre/Concert event. Events vary from Soul Nights; Cabaret Nights; Trade Fairs; Opera and Classical Concerts through to Rock, Pop and Comedy.

WINDSOR SUITE – Is a popular function and live performance venue (licensed for 750). Serviced by 2 bars, the Windsor Suite provides an ideal function facility for events like the nationally famous Northern Soul Nights and touring bands.

4. OPTIONS CONSIDERED AND REJECTED

Other options considered and rejected:

- 1) Extending the current arrangements. This was rejected because firstly the contract had reached the maximum period allowed under the previous tender. In addition, it was felt there was an opportunity to improve on the current pricing through a competitive procurement exercise.
- 2) The decision to run a traditional sealed bid tender process was also considered and rejected because it was felt running an electronic auction would lead to better pricing.

5. DECLARATION OF INTEREST

All Declarations of Interest of the officer with delegation and the any Member who has been consulted, and note of any dispensation granted should be recorded below:

VERSION:	1
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CONTACT OFFICER:	Neil Dagnall
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DATE:	12/12/2018
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BACKGROUND DOCUMENTS:	
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Signed:



Director: Martin Eden	Date: 18 - 12 - 2019
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RECORD OF DECISION TAKEN UNDER DELEGATED AUTHORITY FROM EXECUTIVE/COUNCIL/COMMITTEE



DELEGATED OFFICER	Martin Eden
DECISION TAKEN BY:	
DELEGATED BY:	Executive (on 24 November 2016)
IN CONSULTATION WITH:	Executive Member
PORTFOLIO AREA:	Leisure Culture and Young People

SUBJECT: Assignment of the Lease for Audley Sports and Leisure Centre

1. DECISION

To assign the lease for Audley Sports and Community Centre from Audley Centre Limited to Jamia Ghosia Mosque Association.

2. REASON FOR DECISION

Jamia Ghosia Association submitted the most economically advantageous tender to manage and operate Audley Sports and Community Centre. The panel of officers and elected members agreed unanimously to award the contract to Jamia Ghosia Association. Therefore, the Lease should be assigned to Jamia Ghosia Association as they have requested.

3. BACKGROUND

The Council made a decision to asset transfer Audley Sports and Community Centre in order to deliver the 2016-17 budget savings approved at Finance Council on 29 February 2016.

A public meeting was held on 12 July 2016 at Audley Sports and Community Centre, over 100 people attended the meeting including members of the public, councillors and interested parties.

A two stage process was entered into to ensure that as many organisations as possible had an opportunity to be considered as the new operator for the Centre and to ensure that the process delivered the required outcomes for the Council and the local community.

Stage 1 – Informal Expression of Interest stage

Three organisations submitted an Expression of Interest form and also attended an interview with panel members consisting of Council officers and elected members

Stage 2 – Formal invitation to Tender

Bids were received from the same three organisations which had completed the Expression of Interest form. The bids were assessed by the panel and all three organisations were invited to attend a final interview.

The panel was unanimous in their decision to award the contract to manage and operate the centre to Jamia Ghosia Association (JGA).

On 24 November 2016, the Executive member for Leisure, Culture and Young People took a formal decision to award the contract for 'Managing the operations of Audley Sports and Community Centre in Blackburn as a Community Facility to the successful tenderer Jamia Ghosia Association.

The Executive member for Leisure, Culture and Young People delegated authority to the Director of Environment and Leisure and Director of HR, Legal and Corporate Services in consultation with the Executive Member to agree final terms of the formal legal agreements including the intended transfer of full responsibilities under the 25 year lease.

Accordingly, JGA operated the centre on a shadowing basis, working alongside council staff for a period of four weeks and then took over the management and operation of the centre under licence pending the issue of a lease.

Since 2017, The centre has been managed on a day to day basis on behalf of Jamia Ghosia Association by Audley Community Centre Limited which manages a team of volunteers and employs a small number of staff to ensure the centre operates for the benefit of the local community.

There were delays in issuing the lease as the new charity which was being established on behalf of JGA to take on the lease was taking longer to establish than expected. In June 2018, the Council received a written request from the operators of the Centre to issue the Lease to Audley Community Centre Limited.

On 19th June 2018, the Council duly issued the draft Lease to Audley Community Centre Limited for feedback and on 26 July 2018, the agreed version of the Lease was formally granted .

On 18th September 2018, committee members of JGA contacted the Council about the lease for the Centre. The committee had intended that the Lease should be granted to JGA and that JGA would have a management contract with Audley Community Centre Limited to operate Audley Sports and Community Centre on behalf of JGA.

A meeting was arranged with the committee members of JGA and the operators of the Centre and officers of the Council. At this meeting, the parties agreed that Audley Community Centre Limited would assign the Lease to Jamia Ghosia Association.

4. OPTIONS CONSIDERED AND REJECTED

No other options were considered and rejected. Jamia Ghosia Association submitted the most economically advantageous tender to manage and operate Audley Sports and Community Centre. The panel of officers and elected members agreed unanimously to award the contract to JGA. Therefore the Lease should be issued to this organisation.

Further information is available via the following link [] or from the report author

5. POLICY IMPLICATIONS

None

6. FINANCIAL IMPLICATIONS

None

7. LEGAL IMPLICATIONS

Although formal, this is a relatively standard transaction which will assign the lease to the Jamia Ghosia Mosque Association. Given the close timing with the original lease grant, this action is within the scope of the delegated authority. The Association has subsequent actions that it needs to attend to in respect of registration at the Land Registry and the Council should ensure that these are attended to by the Association.

8. RESOURCE IMPLICATIONS

Officer time in attending meetings to seek agreement to assign the lease and in drawing up Legal documents to enable the assignment of the Lease to take place

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

Consultation taken place with Executive Member for Leisure, Culture and Young People who agrees that the lease should be assigned from Audley Community Centre Limited to Jamia Ghosia Association.

11. DECLARATION OF INTEREST

All Declarations of Interest of the officer with delegation and the any Member who has been consulted, and note of any dispensation granted should be recorded below:

VERSION: 1

CONTACT OFFICER:	Martin Eden
DATE:	11 December 2018
BACKGROUND DOCUMENTS:	Executive Member Decision report, 24 November 2016, Asset transfer of Audley Sports and Community Centre
DIRECTORS - has legal and finance advice been considered ?	
<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO

EQUALITY IMPACT ASSESSMENT CHECKLIST

This checklist is to be used when you are uncertain if your activity requires an EIA or not.

An Equality Impact Assessment (EIA) is a tool for identifying the potential impact of the organisation's policies, services and functions on its residents and staff. EIAs should be actively looking for negative or adverse impacts of policies, services and functions on any of the nine protected characteristics.

The checklist below contains a number of questions/prompts to assist officers and service managers to assess whether or not the activity proposed requires an EIA. Supporting literature and useful questions are supplied within the [EIA Guidance](#) to assist managers and team leaders to complete all EIAs.

Service area & dept.	Leisure, Culture and Young People	Date the activity will be implemented	11/12/2018
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Brief description of activity	Officer decision taken under delegated authority to assign the lease for Audley Sports and Community Centre from Audley Centre Limited to Jamia Ghosia Association.
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Answers favouring doing an EIA	Checklist question	Answers favouring not doing an EIA
<input type="checkbox"/> Yes	Does this activity involve any of the following: - Commissioning / decommissioning a service - Change to existing Council policy/strategy	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes	Does the activity impact negatively on any of the protected characteristics as stated within the Equality Act (2010)?	<input checked="" type="checkbox"/> No
<input type="checkbox"/> No <input type="checkbox"/> Not sure	Is there a sufficient information / intelligence with regards to service uptake and customer profiles to understand the activity's implications?	<input checked="" type="checkbox"/> Yes
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Does this activity: Contribute towards unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act <i>(i.e. the activity creates or increases disadvantages suffered by people due to their protected characteristic)</i>	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Reduce equality of opportunity between those who share a protected characteristic and those who do not <i>(i.e. the activity fail to meet the needs of people from protected groups where these are different from the needs of other people)</i>	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Foster poor relations between people who share a protected characteristic and those who do not <i>(i.e. the function prevents people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	<input checked="" type="checkbox"/> No
FOR = 0	TOTAL	AGAINST = 6

Will you now be completing an EIA?

Yes

No

The EIA toolkit can be found [here](#)

Assessment Lead Signature	Martin Eden
Checked by departmental E&D Lead	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date	11/12/2018