

	<p><b>Executive</b> 11 August 2010</p> <p><b>Report from the Director of Children and Families</b></p>
<p>Wards affected: All</p>	
<p><b>Authority to extend the existing contract for the delivery of play services in Brent</b></p>	

## 1. Summary

- 1.1 This report updates the Executive to the progress of the current tender process for the delivery of play services in Brent. The report requests authority to further extend the current contract with Brent Play Association to 31 March 2011 while officers consider options for the future delivery of play services with a report back to the Executive on such options by December 2010.

## 2. Recommendations

The Executive is recommended to:

- 2.1 Note the current position with regard to the tender process for the delivery of play services in Brent and officers intention to report to the Executive on options for the future delivery of play services by December 2010.
- 2.2 Authorise a further extension of the existing contract for play services with Brent Play Association (BPA) for a period of 7 months from 1 September 2010 to 31<sup>st</sup> March 2011.

## 3. Background

- 3.1 As outlined in previous reports to the Executive (see background papers), a strategic review of Brent Play Service was commissioned in June 2006 to provide recommendations for future structural and service delivery arrangements that would be effective, efficient and accountable and that would enable the achievement of play service objectives within the broader Brent Children and Young People's Plan and Brent Play Strategy. The outcomes from the strategic review formed the basis of a report brought to the Executive in February 2007, which sought Executive approval concerning:

- The recommendations in respect of the future delivery of play services in Brent

- The pre-tender considerations and the criteria to be used to evaluate tenders.
  - Authority to invite tenders and evaluate them in accordance with the approved evaluation criteria.
- 3.2 The report also sought approval to develop and improve the existing arrangements with Brent Play Association (“BPA”) during the period April 2007 - March 2008, with contractual documentation to be prepared and agreed between the Council and BPA. This approach sought to ensure continuity of the play service for an interim period during which the planning and tendering of the new contract could be undertaken.
- 3.3 As set out fully in the report to the Executive dated 14 July 2009, there have been a number of delays and setbacks in the tendering process including the award in November 2008 of the play services contract to a contractor called Kids, only for Kids to subsequently indicate that it would not be able to proceed with the contract. Owing to the need to ensure continuity of delivery of play services during the period of tendering, the existing arrangements with BPA have been extended on a number of occasions. Initially the extension was authorised under delegated powers but more recently extensions have been authorised by the Executive on 17 November 2008 and 14 July 2009. The Executive on 14 July 2009 agreed to extend the existing arrangements with BPA to 31 August 2010.
- 3.4 Following Executive authority to retender play services in July 2009, the contract was advertised on 7 October 2009 in both national and local publications. This resulted in eight organisations expressing an interest in the procurement. Pre-qualification questionnaires were submitted by four organisations and these were assessed. In finalising the specification prior to inviting tenders, issues arose as to the level of services required for the duration of the play services contract. The play services contract is funded through a number of different budgets and financial issues affecting the council necessitated the reconsideration of service levels. Until such issues were resolved, it was not considered appropriate to progress the procurement. The financial budget for the play service beyond 31<sup>st</sup> March 2011 is currently unclear therefore the procurement process remains on hold.
- 3.5 Given that financial budgets are still to be finalised, it may be that the service to be procured and the duration of the contract will be different from that for which Executive authority was obtained in July 2009. In the circumstances, it is considered that the most appropriate way forward is to extend the existing arrangement with BPA to 31 March 2011 to ensure continuity of service. During this period, budgets will be finalised and it will be possible to report back to the Executive as to procurement options.

#### **4. Financial Implications**

- 4.1 The extension of the existing contract with BPA until 31 March 2011 has a range of funding streams :- Early Years, Children's Fund, Carers Grant, Section 17 and Aiming High. The extension of this contract is within existing budget allocations for the financial year 2010- 2011.

## **5. Legal Implications**

- 5.1 The current contract with BPA originally ran for the period April 2007 to March 2008. This was extended to 30 March 2009 by the use of the delegated powers pursuant to Part 4 of the Constitution which allows Chief Officers to extend contracts by a period not exceeding one year. Further authority was obtained from the Executive in November 2008 and again in July 2009 to extend the contract to 31 August 2010.
- 5.2 Given that delegated powers have been used to extend the contract with BPA, any decision to further extend it must be approved by the Executive pursuant to Standing Order 112.
- 5.3 In extending the contract with BPA, certain minor amendments will need to be made to the contract to reflect the fact, for example, that the Council no longer leases accommodation at Middlesex House to BPA.
- 5.4 Depending on the outcome of officers' deliberations on procurement options, it may be necessary to abort the current procurement process and recommence any procurement process.

## **6. Diversity Implications**

- 6.1 There are no equalities or diversity implications arising from the extension of this contract with BPA for a further 7 months.

## **7. Staffing/Accommodation Implications**

- 7.1 There are no staffing implications should this contract be extended.
- 7.2 BPA operates after-school clubs and holiday play schemes at the Stonebridge Adventure Playground. Parents and carers pay fees to BPA for attendance. These BPA services are not included within the scope of the tender process but the Management and Support Services specification attached as Schedule 2 of the current contract with BPA does include provision that the Council shall provide the Contractor with financial support which shall require the Council:
- To pay the running and utility costs relating to the Contractor's use and occupation of the Stonebridge Centre for the running of Play Schemes (with BPA paying for the phone charges relate to such use and occupation).
  - Some of the BLF revenue funded projects contracted to BPA operate from the Stonebridge site. BPA would continue to occupy the site and re-

tendering process will take into account options for the future funding and operation of the Stonebridge site.

## **8. Background Papers**

- Report to the Executive 12 February 2007 Review of Play Services Ref: C&F-06/07-019
- Ofsted Registration of childcare providers from September 2008
- Report to the Executive 17 November 2008 Authority to Extend the Existing Contract and Award a New Contract for the Delivery of Play Services in Brent Ref: C&F08/09-008
- Report to the Executive 16 March 2009 Authority to Extend the Existing Contract for the Delivery of Big Lottery Funded Play Services in Brent Ref: C&F08/09-021
- Report to the Executive 14 July 2009 Authority to extend the existing contract and invite tenders for the delivery of play services in Brent. Ref: C&F-09/10-002

## **9. Contact Officers**

Krutika Pau: - Assistant Director Strategy and Partnerships  
Tel: 0208 9373126. email: [krutika.pau@brent.gov.uk](mailto:krutika.pau@brent.gov.uk)

Tajinder Nijjar: - Integrated and Extended Services Locality Manager  
Tel: 0208 9084433. email: [tajinder.nijjar@brent.gov.uk](mailto:tajinder.nijjar@brent.gov.uk)

**John Christie**  
**Director of Children and Families**