



Executive
13 February 2012

**Report from the Director of
Environment and Neighbourhood
Services**

Wards Affected:
ALL

**Authority to participate in the Central Buying Consortium
(CBC) framework for the procurement of Library stock**

1.0 Summary

- 1.1 This report seeks approval for participation in the Central Buying Consortium (CBC) framework for the supply of library books and other stock items from April 2012. The library stock budget of £550,000 has been maintained for 2012/13 at the same level as in previous years – in effect almost doubling the stock budget for each library.
- 1.2 The Council has been a member of the CBC for the supply of library books and other library materials since September 2010, after the contracts for the Welstock consortium came to an end and Welstock was disbanded. The current contract between the suppliers and the CBC comes to an end in March 2012.

2.0 Recommendations

- 2.1 That the Executive approves the Library Service's participation in the Central Buying Consortium's framework for the purchase of library books and other library materials.
- 2.2 That the Executive agree that there are good operational reasons as set out in paragraph 3.10 for not seeking approval from the Director of Legal and Procurement for each and every time the Council enters into a call-off contract under the Central Buying Consortium's Framework and agree that a blanket approval to use the Framework for the framework duration may be given.

3.0 Detail

- 3.1 In 2010-11 Brent's library service issued 1,241,506 books and other items of library stock and received 1,701,131 visitors to its libraries. 48,838 new books and other items (music CDs and DVDs) were added to existing stock.
- 3.2 From 2002-2010 the Council was part of the Wellstock consortium, the contracts were last awarded in 2006 for two years with an option to renew for two years. The contracts finally came to an end in August 2010. The London Borough of Ealing withdrew as the lead authority and it was decided that the consortium would not re-tender and would disband.
- 3.3 The options were for the library service to fully re-tender for the supply of library stock as a stand-alone library authority, or to join another stock consortium where competitive discounts had already been negotiated. Joining an existing consortium was considered to be the best option on the basis that a stock consortium delivered an improved range and quality of stock, better value for money, and placed the library service in the best position to respond to the recommendations of the London Libraries Change Programme with its emphasis on delivering efficiency savings through shared services.
- 3.4 Brent's Procurement Unit reviewed the three available options: The North West Libraries Consortium and the Yorkshire Book Consortium which were excluded because of distance. The London Libraries Consortium, of which the Council is already a member, also has a stock group and was welcoming new members to join. The Council therefore joined as an associate member of CBC in September 2010.
- 3.5 The CBC is the largest library stock purchasing consortium in the UK, offering some of the most competitive trading terms currently available. Library services whose parent local authorities are not full members of CBC are able to join the CBC Library Group as affiliate members; 16 London library authorities are currently full or affiliate members of the CBC Library Group, lead by West Sussex County Council (WSSCC) making it the largest stock supply consortium in London. CBC currently has contracts with four library suppliers which are due to expire on 31 March 2012.
- 3.6 The Brent budget for library books and other library items for 2011/12 is £550,000.

Stock Budget 2011/12	
Newspapers, Periodicals	40,000
Electronic Resources	28,000
Subscriptions	18,500
Inter-library Loans	2,500
One off payment for electronic data invoicing (EDI)	10,000
Items not available through CBC suppliers (large print, talking books, basic skills, community languages, black interest)	141,000
CBC suppliers (adult, children's, reference, DVDs, CDs, Video Games)	310,000
Total	550,000

3.7 The current discounts available to CBC members are significantly higher than from any other stock consortium, or what would be available if Brent tendered on its own.

3.8 West Sussex County Council, as lead contracting authority for the CBC has tendered a new framework arrangement under the Public Contract Regulations 2006. The Contract Award Report for the CBC Library Book and Audio Visual (AV) tender has now been approved by West Sussex County Council's Director of Communities and Infrastructure. West Sussex County Council is intending to enter into framework agreements with the providers for each of the tendered lots as set out below:

Lot 1 Adult Non-Fiction:

Askews and Holts Library Services Ltd.

Lot 2 Adult Fiction:

Askews and Holts Library Services Ltd.

Lot 3 Children's Fiction and Non-Fiction:

Askews and Holts Library Services Ltd.

Lot 4 – Reference and Reference Standing Orders:

Bertrams Library Services (subcontracted to Dawsons)

Lot 5- Recorded Music:

Askews and Holts Library Services Ltd.

Lot 6-DVDs, Computer Media and Games:

Askews and Holts Library Services Ltd.

3.9 The new framework agreements will commence on the 1st of April 2012. The frameworks will be available for the Council to order libraries stock under. The Council will not be required to enter into an access agreement or to sign up to an overarching agreement with each of the providers as is common place with framework arrangements. Instead, each order which the Council places

under the framework will constitute a separate call-off contract. This process is acceptable under the Public Contracts Regulations.

4.0 Financial Implications

- 4.1 The library stock budget of £550,000 has been maintained for 2012/13 at the same level as in previous years – in effect almost doubling the stock budget for each library and the Council has indicated its wish to maintain this subject to funding availability in future years.
- 4.2 The actions and recommendations in the report are in line with the Council's Procurement Contract Standing orders and Financial Regulations.
- 4.3 The savings delivered by this tender are complex to estimate due to the number of CBC members (46 authorities) and the requirement of further data from the incumbent suppliers in order to accurately quantify the savings. However, a high level estimate based on discount against retail price, servicing savings and delivery charges has been estimated to be in the region of £353,000 per annum across the £22M spend of the CBC.

5.0 Legal Implications

- 5.1 The estimated value of the library stock to be procured over the next 4 years will be higher than the EU threshold for supplies and the procurement will therefore be governed by the Public Procurement Regulations 2006. The contract will also be subject to the Council's own Standing Orders in respect of High Value contracts and Financial Regulations.
- 5.2 It is proposed that the library stock will be procured using the CBC Framework. The Public Procurement Regulations allow the use of framework agreements and prescribe rules and controls for their procurement. Contracts may then be called off under such framework agreements without the need for them to be separately advertised and procured through a full EU process.
- 5.3 The Council's Contract Standing Orders state that no formal tendering procedures apply where contracts are called off under a Framework Agreement established by another contracting authority, where call off under the Framework Agreement is approved by the relevant Chief Officer and provided that the Director of Legal and Procurement has advised that participation in the Framework is legally permissible. Advice from the Director of Legal and Procurement must be obtained each and every time a call off under another contracting authority's Framework Agreement is recommended by the relevant Chief Officer. Legal services has reviewed the framework documentation and confirmed that participation in the CBC framework is legally permissible.
- 5.4 The Libraries Services intends that all of its stock is purchased via the frameworks and orders are likely to be placed on a regular basis. For this reason it is not practical for advice to be obtained on each and every occasion

and the Executive is asked to agree that a blanket approval is appropriate in this case.

- 5.5 Standing Order 84(a) provides that the Executive may decide that a contract need not be procured in accordance with the Council's Standing Orders if there are good financial and/or operational reasons for this. It is therefore open for the Executive to agree the recommendation set out in 2.2.

6.0 Diversity Implications

- 6.1 All bidders for CBC contracts have to be able to demonstrate the ability to deliver the services in line with the Equalities Act 2010 and WSCC's equality, diversity and equal opportunities policies (Treating People as Individuals TPAI)
- 6.2 Bidders were evaluated for their ability to supply materials in community languages, alternative formats and coverage of a range of interests.
- 6.3 Funding has been set aside to provide further coverage of these materials from alternative suppliers.

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