

	Officer Key Decision
	Report to the Corporate Director Resident Services
	Lead Cabinet Member for Community Engagement, Equalities, and Culture
Authority to award a call off contract from a collaborative procurement framework agreement for the provision of library materials and audio visual materials	

Wards Affected:	ALL
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Name: Allan Costello Job Title: Library Stock Development Manager Email: allan.costello@brent.gov.uk

1.0 Executive Summary

- 1.1 This report concerns authority to award a call-off contract from a framework agreement following a successful collaborative procurement exercise for the provision of Library Books and Audio Visual Materials through the Central Buying Consortium Library Group, led by West Sussex County Council. This report requests authority to award contracts as required by Contract Standing Order 88.

2.0 Recommendation(s)

That the Corporate Director of Resident Services:

- 2.1 Notes the award of framework contract to Askews & Holts Library Services Limited for the provision of Library Books and Audio Visual Materials ('the Framework') following a collaborative procurement

exercise carried out by West Sussex County Council on behalf of the Central Buying Consortium Library Group.

- 2.2 Approves the award of a call off contract from the Framework to Askews & Holts Library Services Ltd for the provision of Library Books and Audio Visual Materials to the London Borough of Brent for a term of 2 years with an option to extend for a further 2 years as set out in the Framework agreement at an estimated value of up to £1.32M.

Contribution to Borough Plan Priorities & Strategic Context

- 3.1 The award of this contract contributes to the Prosperity and Stability in the Council's Borough Plan 2023-27. By competitively tendering for this requirement the Council has secured value for money library books and AV materials, for its residents. Ensuring we have learning and literacy materials for Adults, Children and Young people in Brent.

Background

- 3.2 Brent Council requires the provision of Library Books and AV Materials as the current contract with Askews and Holts Library Service Ltd which commenced in April 2020 is due to expire on 31st March 2024. The Library Books and AV materials contract covers purchasing Adult Fiction, Adult non Fiction, Children's books and DVDs for Brent Libraries Services.

The Council is a member of the Central Buying Consortium Library Group ('CBC'), made up of 53 member local authorities, that have worked together to continue to deliver library services that is responsive to the needs of the service users in their Boroughs. As the lead authority for the CBC, the West Sussex County Council has undertaken a procurement exercise for a single-provider Framework for use by the consortium members.

The CBC agreed that the involvement of all the local authorities in the procurement process would be unmanageable and agreed a limited number of representative councils should be involved. Evaluation fell to representatives from 13 local authorities who are members of the CBC Contract Review Group. Based on the outcome of the exercise, Askews & Holts Library Services Ltd was identified as the successful tenderer to provide the Library Books and AV Materials service for the CBC members and this report seeks authority for the Council to award a call off contract to Askews & Holts Library Services Ltd.

- 3.3 The benefit for the Council in joining the CBC to collaboratively procure the Library Books and AV Materials service is that the Council work collaboratively, rather than costly individual approach from each Local Authority. It is also more efficient to have the one consortium provider.

The Procurement Process

- 3.4 The Framework Agreement was concluded between West Sussex County Council on behalf of the CBC and Askews & Holts Library Services Ltd on 1st February 2024. The Framework was tendered and awarded according to West Sussex County Council's standing orders and contract procedures. The Framework agreement provides for a single call off to be made, and this is what the Corporate Director is recommended to award in this report.
- 3.5 Prior to the procurement, as required by the Council's own Standing Order CSO85(c), Officers sought and obtained confirmation from the Head of procurement, Corporate Director of Governance and Corporate Director of Finance & Resources for the Council to participate in the procurement with the Central Buying Consortium Library Group. The contract will commence on 1st April 2024 for a period of two (2) years with an option to extend for another two (2) years.

4.0 Stakeholder and ward member consultation and engagement

- 4.1 The Lead Cabinet Member for Community Engagement, Equalities, and Culture has been consulted.

5.0 Financial Considerations

- 5.1 Part 3 of the Council's Constitution states that the Corporate Directors have delegated authority to approve the award of contracts for services / supplies valued at less than £2 million. The estimated value of the Call off contract is up to £1.32M over the full term of the contract.
- 5.2 The cost of this Call off contract will be funded from Brent Library Service Stock Support Budgets.
- 5.3 Procuring through the CBC Group allows for the Council to benefit from improving pricing that arises through being part of a wider consortium, providing improved value for money compared to procuring stock individually.

6.0 Legal Considerations

- 6.1 The estimated value of the Call off contract over its lifetime is in excess of the Public Contracts Regulations 2015 (the "PCR 2015") threshold for Services, and the award is therefore governed by the PCR 2015. The award of the Contract is also subject to the Council's own Standing Orders in respect of Medium Value Contracts

- 6.2 When awarding individual Call off contracts from a framework agreement, contracting authorities do not need to go through the full procurement process provided the framework rules are complied with and the terms and conditions of the framework are utilised. The Library Books and AV Materials service was procured in collaboration with the CBC and as required under the Council's Standing Orders and Financial Regulations, Officers confirm in section 3 above that the relevant confirmation as required under the CSO85(c) was obtained in respect of the Collaborative Procurement
- 6.3 As mentioned above, the award of the Contract is subject to the Council's own Standing Orders in respect of Medium Value Contracts. The Corporate Director of Residents Services has delegated power to award Medium Value Contracts in accordance with paragraph 9.5 of Part 3 of the Constitution as recommended in section 2 above.
- 6.4 The decision to award the contract will be subject to call-in as provided for in the Council's Consitution. As the procurement of the Contract is from a framework, there is no requirement for the Council to observe a 10 day standstill period under the PCR 2015.

7.0 Equality, Diversity & Inclusion (EDI) Considerations

- 7.1 Pursuant to s149 Equality Act 2010 (the "Public Sector Equality Duty"), the Council must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,
- 7.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.3 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.

7.4 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary.

7.5 The proposal in this report have been subject to screening and officers believe that there are no adverse equality implications.

7.6 The proposals in this report have been subject to screening and officers believe that there are no adverse health inequality implications.

8.0 Climate Change and Environmental Considerations

8.1 Sustainability policies/procedures/strategies are aligned with the West London Authorities Climate Commitment Charter. Contractor committed to further cutting greenhouse gas emissions by 2030.

9.0 Human Resources/Property Considerations (if appropriate)

9.1 There are no implications for Council staff arising from retendering the contract.

10.0 Communication Considerations

10.1 Not applicable.

Report sign off:

Peter Gadsdon
Corporate Director of Resident
Services