

Title of Report	PROCUREMENT EXEMPTION IN RELATION TO THE AWARD OF A CONTRACT IN RELATION TO THE COUNCIL'S STRAY DOG COLLECTION SERVICES	
Presented by	Councillor Andrew Woodman Community Services Portfolio Holder	
Background Papers	Exemption form signed by the Statutory Officers – kept on file	Public Report: Yes
		Key Decision: Yes
Financial Implications	The annual contract value is £30,000.00	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	The Environmental Protection Act provides a statutory duty on local authorities to collect stray dogs within their area.	
	Signed off by the Monitoring Officer: Yes	
Staffing and Corporate Implications	None identified.	
	Signed off by the Deputy Head of Paid Service: Yes	
Purpose of Report	To report on the exemption to the Council's Contract Procedure Rules in order to award of a contract for the provision of dog warden and kennelling services that could not be competitively tendered	
Reason for Decision	The council's Financial and Contract Procedures require that exemptions be reported to Cabinet	
Recommendations	CABINET IS ASKED TO NOTE THE EXEMPTION IN RELATION TO THE AWARD OF A CONTRACT FOR THE PROVISION OF DOG WARDEN AND KENNELING SERVICES	

1.0 BACKGROUND

- 1.1 Procurements and purchases made by council services are controlled by the Contracts Procedure Rules and the Financial Procedure for Special Circumstances (CPR 3.1.1/FPR C53)
- 1.2 In August of this year, an Exemption Request was approved by the council's Statutory Officers to approve the direct award of a contract for the provision of Dog Warden Services and Kennelling to Animal Care Services Limited

2.0 ISSUE WITH CURRENT CONTRACT

- 2.1 The current contract with College Garth kennels for provision of Dog Warden Services and Kennelling is due to expire on the 30th September 2020. A competitive tender process had been anticipated and was being prepared for as much as possible.
- 2.2 The council was advised of a change in family circumstances which was likely to have a significant impact on the operation of the business going forward. As a result the company is expected to be put into administration in September 2020.
- 2.3 The appointment of an administrator constitutes a breach of our contract and provides for the immediate termination of the contract.

3.4 As there are dogs currently in the kennels and the provision of a dog warden is a statutory service of the council it is imperative that a new contract is lined up to take over as soon as the old contract is terminated.

3.0 NEW CONTRACT

3.1 Animal Care Services Limited is being set up by some of the shareholders of College Garth Kennels and will be run from Kennels in Queniborough, Leicestershire.

3.2 A contract identical to that with College Garth has been negotiated with the same terms and fees applicable. The estimated value of the contract is £30,000.00 per year.

3.3 A one year plus one year term has been negotiated. This will provide the council with the reassurance that their services will still be provided for at least one year and will afford the council the time to undertake a full procurement exercise. The option to extend for a further year at the sole discretion of the council will offer the flexibility and reassurance that the council needs when providing a statutory service.

3.4 Working with the same team that had previously been at College Garth will offer the council with the continuity of a reliable service that it has received to date.

3.5 Soft market testing has not identified any other provider of this service in the county, although this was not relied on as a reason to request exemption.

Policies and other considerations, as appropriate	
Council Priorities:	- Our communities are safe, healthy and connected
Policy Considerations:	N/A
Safeguarding:	There are no Safeguarding implications
Equalities/Diversity:	No negative equality impacts highlighted.
Customer Impact:	The award of a contract ensure that the council is able to meet its statutory duty to collect stray dogs in its area.
Economic and Social Impact:	There are no negative economic or social impacts
Environment and Climate Change:	There are no environmental or climate change impacts
Consultation/Community Engagement:	No consultation undertaken as no impact on the community
Risks:	For reasons explained in the report the current contract had to be terminated. The award of a new contract ensures that the council continues to meet its statutory duties in relation to stray dogs.
Officer Contact	Lee Mansfield Environmental Health Team Manager lee.mansfield@nwleicestershire.gov.uk