

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

CABINET

17 March 2020

REPORT OF THE HEAD OF TRANSFORMATION

A.THOMAS

Matter for Decision.

Wards Affected: All wards

LEISURE SERVICES CONTRACT PROCUREMENT

1. Purpose of Report

- 1.1 To seek Members approval to embark on a procurement exercise to appoint a replacement leisure provider.

2. Executive Summary

- 2.1 This report proposes to procure a new service provider to run council leisure services in Neath Port Talbot. It should be noted that once the procurement process has been completed a further report will be prepared for Member consideration and approval to award a contract to the new service provider.

3. Background

- 3.1. On the 16th December 2015, Cabinet approved the granting of a 10 year contract to Celtic Leisure with an option to extend for a further 5 years. After a recent value for money review carried out by an industry expert, it is proposed to enter into a competitive procurement process to obtain best value for money for the Council and appoint a new provider for leisure services.
- 3.2. The purpose of the procurement exercise is to ensure that residents of Neath Port Talbot continue to have the opportunity to participate in physical activity, and access to high quality leisure facilities.
- 3.3 The Council has previously shown its commitment to providing high quality facilities with the proposed new leisure/swimming pool in both Neath town centre and undertaking a procurement exercise

for a new provider of leisure services is a continued commitment to provide such high quality facilities and to ensure sustainability in the future.

4. Facilities.

4.1 The facilities that will be included in the procurement exercise are:

- Aberavon Leisure and Fitness Centre.
- Neath Leisure Centre (To be replaced by the proposed new swimming pool/leisure facilities in Neath town centre)
- Neath Sports Centre
- Pontardawe Leisure Centre
- Pontardawe Swimming Pool
- The Vale of Neath Leisure Centre
- The Gwyn Hall Neath.

5. The Procurement process:

5.1 The Council will be advised and supported throughout the process by an industry procurement expert, RPT Consulting.

5.2 A procurement exercise will be carried out in accordance with the requirements of the Public Contract Regulations 2015. The facilities which presently form part of the Celtic Leisure contract will be part of this tender exercise.

5.3 The Table below summarises the indicative project plan and key dates that are being worked to in order to facilitate the procurement exercise.

Key Stages	Key Dates	Notes
Pre Procurement Stage	Feb - May 2020	Preparation of Procurement Strategy and Procurement Documentation
SSQ Stage	May/June 2020	Advertise opportunity and select shortlist (maximum 5) of bidders capable of delivering contract
Invitation to Submit Initial Tenders	July - Oct 2020	Seek bids to operate and consider a number of options. Shortlist bidders (maximum of 3) to provide final tender
Final Tender Stage	Oct - Dec 2020	Seek final tender on preferred option(s) and get best price
Preferred Bidder Appointed	Early January 2021	Appoint Preferred Bidder
Mobilisation	Jan - Mar 2021	Contract Signing and Mobilisation

- 5.4 A report will be brought back to Cabinet following the outcome of the tender process and once the successful tenderer has been identified to seek authority to proceed to award a contract for the provision of leisure services which will include a detailed overview of the successful tenderer's bid

6. Financial Impact

- 6.1 There are no immediate financial implications associated with this report other than procurement costs of RTB Consulting and in-house officer work. The total external costs are estimated to be in the region of £30k, which will be accommodated within existing budgets. A report will be brought back to Cabinet following the outcome of the tender process and once the successful tenderer has been identified to seek authority to proceed to award a contract for the provision of leisure services which will include a detailed of the financial impacts of the Council in proceeding with the award of contract.

7 Integrated Impact Assessment

- 7.1 A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. The first stage assessment has indicated that a more in-depth assessment is not required.

8. Valleys Communities Impacts:

- 8.1 There is no overall impact on any valley community as a result of this proposal as it is proposed to retender the provision of leisure services with the same specification to that which Celtic Leisure currently undertake. There would therefore be no reduction in the facilities currently available. In the event that any changes are proposed during the proposed contract term, the appropriate consultations and legal requirements will be complied with.

9 Workforce Impact

- 9.1 There are no immediate impacts on the Neath Port Talbot Council workforce.

- 9.2 TUPE will apply to the new arrangements therefore staff of Celtic Leisure will transfer to the successful tenderer on the same terms and conditions to which they currently work under. Any potential changes to the terms and conditions by any future operator will have to be considered in line with the aforementioned TUPE Regulations and will have to be subject to consultation with staff.

10. Legal Impact

- 10.1 Any proposed procurement practice will be carried out in accordance with the requirements of the Public Contract Regulations 2015. Any potential arrangements will include specifications of service, a formal contract and lease that will in effect bind the successful tenderer to meeting the requirements of the Council.

11 Risk Management

- 11.1 Failure to ensure suitable arrangements are in place will affect the provision of leisure services in the Neath Port Talbot locality. Pursuing a tender exercise and entering into an exit agreement with Celtic Leisure will ensure that service continuity is maintained and there is no adverse impact on residents.

12. Consultation

- 12.1. There is no requirement for external consultation on this report.

13 Recommendations

- 13.1 It is recommended that:
- (a) Delegated authority is granted to the Head of Transformation in consultation with the Director of Finance and Corporate Services, Head of Property and Regeneration, Head of Legal Services, Leader and Cabinet Member for Education, Skills and Culture to finalise an invitation to tender for the provision of leisure services in Neath Port Talbot in line with the current specification of service (subject to any minor updates necessary) and to embark on a tender process as detailed in this report
 - (b) That a report be brought back to Cabinet following the outcome of the tender process and once the successful tenderer has been

identified to seek authority to proceed to award a contract for the provision of leisure services.

14. Reasons for Proposed Decision

14.1 To ensure suitable arrangements are in place to maintain the provision leisure services in the Neath Port Talbot locality

15 Implementation of Decision

15.1 The decision will be implemented immediately.

6 Appendices

16.1 Appendix 1. Impact Assessment

17. List of Background Papers

17.1 None

18 Officer Contact

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