
**EXCERPT FROM THE MINUTES OF THE
COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE
HELD ON 29 NOVEMBER 2001**

**COS.32/01 LEISURETIME COMPETITIVE PROCESS - KEY ISSUES AND
INTRODUCTION TO THE DOCUMENTATION**

Consideration was given to the Director of Leisure and Community Development's report to the Executive (LCD.92/01) which summarised the current position in respect of the Leisuretime Competitive process.

The Director commented that his report provided an introduction to the key components of the documentation and the assumptions behind them which would be used to carry out the tender, together with the opportunity for feedback before they were submitted for final approval. It was anticipated that the draft documentation would be complete by Christmas and available for consideration in the New Year.

He commented upon work undertaken to date, the timetable for completion of the process, risk assessment, the documentation, what would be required from both the Contractor and the Council, the evaluation process, Best Value and the next steps.

The Committee gave detailed consideration to the report and raised the following issues:

A Member questioned whether the timetable for completion of the process was adequate. The Director commented that clearly the duration was a matter for the Council, but urged Members not to lengthen it. He added that, although he felt that the process could be completed within the timescale identified in his report, it may be necessary to hold special meetings to achieve that.

Clarification was sought with regard to the TUPE arrangements for the potential transfer. The Director commented that, although tenderers would not be obliged to exceed the minimum TUPE requirements, they would be invited to demonstrate how their terms would do so for which credit would be given.

Clarification was sought with regard to the level of financial support required to undertake monitoring of the performance of the partner in delivering the contract and the service. The Head of Legal Services indicated that the Council would retain core responsibilities e.g. Best Value/Health and Safety, would wish to ensure that the service was delivered in an acceptable manner and therefore effective monitoring was vital. The Director added that it was not possible to quantify the financial implications as that time.

Attention was drawn to what the Council would require of the Contractor and the Director commented that, although the Council must ensure that value for money was achieved, it would also have to release control since only by doing so would capital investment be forthcoming.

A Member expressed concern at the scenario whereby responsibility for setting prices would rest with the contractor and questioned whether the market was sufficiently competitive. The Director commented that it would not be in the contractor's interest to force prices up since that would result in a loss of both income and customer satisfaction.

A Member stated that there were errors in the numbering of Appendices to the report and the Director undertook to rectify the same.

RESOLVED – (1) That the Director's report be noted.

(2) That observations of this Committee, as outlined above, be forwarded to the Executive.