

Report of Trading and Operational Support Manager

Report to Chief Officer Parks and Countryside

Date: 5 February 2016

Subject: The Procurement of Memorials – Waiver of Contracts Procedure Rule 8.1 and 8.2

Are specific electoral wards affected? If relevant, name(s) of ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Summary of main issues

1. The Chief Officer for Parks and Countryside is recommended to approve the waiver of Contracts Procedure Rule No 8.1 and 8.2 – Intermediate Value Procurement – to enter into a contract for the purchase of memorials and plaques direct from Columbaria Company.
2. This report would allow the use of the existing supplier in relation to the provision of bespoke suited set of memorial plaques and sanctums. This will allow the service to continue to offer a wider choice of memorial's without the need for a formal tender exercise.
3. Both Rawdon and Lawnswood crematoria already have existing memorial sanctums and barbican towers for the provision of memorial plaques supplied by the Columbaria Company within the grounds. This is a suited set of memorials which is in keeping with the cemetery and crematoria.
4. To place another memorial alongside or even within the same vicinity that is not an exact match, would also impact on the aesthetics within the cemetery or crematorium itself.

Recommendations

5. The Chief Officer for Parks and Countryside is requested to use the authority set out in Contract Procedure Rule (CPR) 1.3 to waive Contracts Procedure Rule No 8.1 and 8.2

– Intermediate Value Procurement – to enter into a contract for the purchase of memorials and plaques direct from the Columbaria Company.

1 Purpose of this report

- 1.1 To request the Chief Officer of Parks and Countryside to note the contents of this report and to approve the waiver contracts procedure rule 8.1 and 8.2 - Intermediate Value Procurement – to enter into a contract for the purchase of memorials and plaques direct from Columbaria Company.

2 Background information

- 2.1 Leeds City Council is one of the busiest Crematoria Authorities dealing with over 5,000 cremations per year and in relation to the interment of ashes, families of the deceased will arrange to inter these at a cemetery of their choice. Alternatively they may prefer to strew the ashes within the communal Garden of Remembrance or use some other location entirely.
- 2.2 The provision of a suited set of memorial sanctums and towers provides families with a wider selection and choice of memorials.
- 2.3 There is no internal provider who can provide this service and there is now a need to increase the suited set of memorials. Using the same company will retain the suited set and maintain the aesthetics throughout the cemetery / crematorium and maintain consistency across the service.
- 2.4 The financial details are set out within the confidential Appendix which is attached to this report.

3 Main issues

3.1 Reason for contracts procedure rules waiver

- 3.1.1 Both Rawdon and Lawnswood crematoria already have existing memorials supplied by the Columbaria Company within the grounds. To place another memorial alongside or even within the same vicinity that is not an exact match, would impact on the suited set of memorials and affect the aesthetics of the cemetery or crematorium. Continuing with this organisation reduces the risk of accidentally damaging the stone work by using another company to provide and attach the bespoke specialist artwork on the sanctum itself.
- 3.1.2 Each memorial sanctum is leased out over a twenty year period and needs to stand the test of time and therefore the quality of the product is essential throughout the lease period. An example of the suited set of a barbican memorial tower and the memorial sanctums is attached to this report.

3.2 Consequences if the proposed action is not approved

- 3.2.1 Should approval not be given to waiver Contract Procedure Rule 8.1 and 8.2 there is a risk that the service would be unable to maintain the aesthetics within the cemetery or crematorium as other memorials may not be an exact match.
- 3.2.2 There is a real risk that the Council could purchase an alternative memorial but would then have to deal with other specialist artwork companies. There is also a risk that

attaching another company's artwork could devalue or potentially damage the stone work on the bespoke suited set of memorials.

3.3 Advertising

3.3.1 It is not proposed to advertise this opportunity for the reasons set out at section 3 above.

4 Corporate considerations

4.1 Consultation and engagement

4.1.1 There is no requirement for consultation and engagement with regard to this waiver.

4.2 Equality and diversity / cohesion and integration

4.2.1 The outcome of this process will have no effect on equality and diversity, cohesion or integration of our customers.

4.3 Council policies and city priorities

4.3.1 The waiver of the Council's Contracts Procedure Rules in relation to the purchase of memorial sanctums and memorial plaques and this report draws attention to co-ordinated working that demonstrates a contribution towards the following priorities contained in the City Priority Plan:

- Best city for communities:
- Best city to live:
- Best Council Plan 2015 to 2020
- Vision for Leeds 2011 – 2030

4.4 Resources and value for money

4.4.1 The purchase of these memorials represents value for money and the details of which are set out within the Confidential Appendix and is attached to this report.

4.5 Legal implications, access to information and call in

4.5.1 This is a significant operational decision which is not subject to call-in.

4.5.2 The Appendix to the report is Exempt/Confidential under Access to Information Procedure Rules 10.4(3). The public interest in maintaining the exemption in relation to the confidential Appendix outweighs the public interest in disclosing the information and financial details which, if disclosed would adversely affect the business of the Council and the business affairs of a number of individual companies.

4.5.3 Although there is no overriding legal obstacle preventing the waiver of CPR 8.1 and 8.2 the content of the report should be noted. In making their final decision, the Chief Officer of Parks Countryside should be satisfied that the approved course of action represents best value for the council.

4.6 Risk management

- 4.6.1 The risk associated with this waiver is thought to be low given the specialist nature and quality of the products available to maintain this suited set of bespoke memorials.

5.0 Conclusions

- 5.1 It is considered that the best way forward at present for the Council is to continue using the existing supplier namely the Columbarium Company in relation to the provision of memorial plaques and sanctums thereby retaining the suited set of memorials and maintaining the aesthetics within the cemetery / crematoria grounds.

6.0 Recommendations

- 6.1 The Chief Officer for Parks and Countryside is requested to use the authority set out in Contract Procedure Rule (CPR) 1.3 to waive Contracts Procedure Rule No 8.1 and 8.2 – Intermediate Value Procurement – to enter into a contract for the purchase of memorials and plaques direct from the Columbaria Company.