

**Report of:** *Bookings & Licensing Team, Parks and Countryside*

**Report to:** *Chief Officer, Parks and Countryside*

**Date:** 10/10/2017

**Subject:** *Request to waive contract procedure rules in respect of the procurement of fireworks at 6 community bonfire events in 2017.*

Are specific electoral wards affected? If relevant, name(s) of ward(s):	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Bramley &amp; Stanningley, Burmantofts &amp; Richmond Hill, Middleton, Roundhay, Rothwell and Hyde Park &amp; Woodhouse</b>		
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input 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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

## Summary of main issues

1. Leeds City Council host a number of world class events throughout the city every year, it is the responsibility of the authority as event organisers to ensure that due diligence has taken place to safeguard all those participating. Due to the unique nature of these events there are a number of elements that cannot be sourced internally and require external contractors. Providing specialist pyrotechnics at these events is a primary requirement that as organisers the authority must provide in order to deliver these events effectively. Events of this size require rigorous partnership planning between the Council and Strategic Safety Advisory Group (SSAG) members.
2. In this instance the events that are in need of pyrotechnic provision and are organised by Parks and Countryside are bonfire night events which are held on the nearest weekday evening to 5<sup>th</sup> November on six Parks and Countryside sites across the city.

## **Recommendations**

3. The Chief Parks and Countryside Officer is recommended to approve the waiver of the following Contracts Procedure Rule:

***Contracts procedure rules no 8.1 and 8.2 – Intermediate value procurements***

The Chief Parks and Countryside Officer is further recommended to appoint Fantastic Fireworks for the provision of pyrotechnics as identified in the report up to a value of £34,000 at Parks and Countryside bonfire events in 2017.

## **1 Purpose of this report**

- 1.1 This report seeks approval from the Chief Officer to waive Contract Procedure Rule no. 8.1 and 8.2 in order to engage with Fantastic Fireworks to provide Leeds City Council specialist pyrotechnic services for Parks and Countryside managed bonfire events.

## **2 Background information**

- 2.2 The bonfire events take place at Bramley Park, East End Park, Middleton Park, Roundhay Park, Springhead Park and Woodhouse Moor. These are free events which allow people from all communities to enjoy a bonfire and pyrotechnic display. The purpose of these events is to deter members of the public holding unorganised localised events and reduce pressure on blue light services.
- 2.3 Due to the specialist requirements of the events, there is a need for Leeds City Council to source pyrotechnic provision to fulfil the purpose of the events.
- 2.4 A framework cannot be created for this provision as you cannot quantify fireworks due to the specialist nature of pyrotechnics and the varying nature of displays.
- 2.5 As a contracted supplier cannot be procured via a framework there is still a requirement to provide pyrotechnics at Leeds City Council bonfire events throughout the city and from using Fantastic Fireworks previously we feel they are a suitable provider and in particular their ability to deal with six bonfire events held on the same evening with accredited staff.

### **3 Main issues**

#### **Reason for contracts procedure rules waiver**

- 3.6 Fantastic Fireworks have provided their services at numerous events for Leeds City Council and have the specialist skills and accredited staff required for large scale events.
- 3.7 In addition to this they are one of the few national providers who have the ability to provide pyrotechnics and resources for six events that take place on the same day at the same time.
- 3.8 The selection of the appropriate pyrotechnics is paramount to the successful running of events to ensure that Leeds City Council have done everything reasonably practical by law to ensure public safety at events.

#### **Consequences if the proposed action is not approved**

- 3.9 If the recommendations in this report are not approved the council could be vulnerable in meeting their legal obligations and in addition potential reputational risk. It is therefore important that a suitably experienced provider with relevant local knowledge is used that also has the trust and confidence of the service, SSAG members and community partners.

#### **Advertising**

- 3.10 No advertising of this requirement has taken place due to the specialist and unique nature of the requirement and the amount falls under the official journal of European Union threshold.

### **4 Corporate considerations**

#### **4.1 Consultation and engagement**

- 4.1.1 For a number of years the Council has used Fantastic Fireworks to provide pyrotechnics at several events. Given the long-term experience the Council has of working with Fantastic Fireworks on our events and the fact that they have always delivered the services procured, no further consultation is required.

#### **4.2 Equality and diversity / cohesion and integration**

- 4.2.1 Fantastic Fireworks employ operatives who have earned the respect of the local communities, partners and attendees; this being an important consideration for the management of these events which attract at times a boisterous and energetic audience. The selection of the appropriate provider is essential to the successful running of these events.

#### **4.3 Council policies and best council plan**

- 4.4 The Vision for Leeds 2011 to 2030 sets out a revised vision for the city with the specific objective for Leeds to be the best city in the UK by 2030. In establishing this vision one of the top priorities to emerge from consultation was for the city to

be a cleaner greener city. Aspects of this priority can be found in all of the areas in which the vision is intended to make a difference, although specific reference can be made to the commitment within the vision for Leeds to be the best city to live with good green spaces where everyone can enjoy a good quality of life. Ensuring that events have the specialist cover required will unquestionably ensure that the visitor experience to these events is safe.

**4.5** The use of Fantastic Fireworks service complements the Best Council Plan to “spend money wisely”. For the reasons outlined in this report we believe that Fantastic Fireworks is the organisation of Best Value for the services required. Through the use of this we are therefore able to work with and support communities at unique events which in turn promotes the Vision for Leeds to be “Best Council, Best City”

#### **4.6 Resources and value for money**

4.6.1 Alternative providers have been considered, the route decided upon within this report is the most pragmatic in terms of time and service provided will therefore represent best value in allowing the planning process to be undertaken within given time scales and with the assurance that Leeds City Council are utilising the best pyrotechnic provision at events.

#### **4.7 Legal Implications, access to information and call In**

4.7.1 The Chief Parks and Countryside Officer has considered this and, due to the matters set out in this report and the fact that the services have to be physically provided in Leeds along with the value of the proposed waiver is not subject to call in.

#### **4.8 Risk management**

4.8.1 The standard contractual approach between the Council and Fantastic Fireworks is for payment to be made after the event and so there is no risk to LCC of paying out monies and not receiving the required services.

### **5 Conclusions**

5.1 After working with Fantastic Fireworks for several event series it is apparent that at this stage they provide the most suitable and reliable services in keeping with Leeds City Council requirements for the varied and unique nature of our events.

5.2 It is therefore suitable for the CPR no. 8.1 and 8.2 to be waived in this case.

### **6 Recommendations**

6.1 The Chief Parks and Countryside Officer is recommended to approve the invocation of the following Contracts Procedure Rule:

*Contracts procedure rules no 8.1 and 8.2 – Intermediate value procurements*

6.2 The Chief Parks and Countryside Officer is further recommended to appoint Fantastic Fireworks for the provision of pyrotechnic services as identified in the report up to a value of £34,000 at Parks and Countryside events.

## **7 Background documents<sup>1</sup>**

7.1 None.

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.