

# Participation in a regional consortium procurement for Library materials conducted by another public body in accordance with CPRs 5.1-5.3

Date: 02/05/2024

Report of: Strategic Library Manager

Report to: Chief Officer Community Hubs, Welfare & Business Support

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

## Brief summary

1. New contract arrangements are required to ensure the continued supply of appropriate library materials notably, but not limited to, fiction and non-fiction books.
2. The previous contract for the supply of library materials was through the North West Libraries Consortium (NWLC) / Yorkshire Book Consortium (YBC). The Library Service is seeking to continue this relationship and participate in and benefit from a new joint Contract Agreement for the supply and servicing of library materials.
3. The agreement offers the member local authorities a simple route to establishing supply arrangements for the provision of all types of library stock materials, achieving greater economies of scale, and removing the need for each authority to undertake their own tendering exercise.
4. This process has been used to great effect for several years by many of the other authorities within the Yorkshire region, with Leeds participating since 2019.
5. Approval is sought in accordance with CPRs 5.1 – 5.3 which state that any joint procurement for the benefit of the Council together with one or more public bodies will be formally approved by the relevant Chief Officer as a Delegated Decision before the procurement commences.

## Recommendations

- a) The Chief Officer Community Hubs, Welfare & Business Support is recommended to approve: the library service joining the North West Libraries Consortium (NWLC) / Yorkshire Book Consortium (YBC) and under CPR 5 (5.1 and 5.3), the procurement of library materials through the re-tendering of the consortium's contract.

### What is this report about?

- 1 The purpose of this report is to seek approval for the library service to continue procurement of library materials through the North West Libraries Consortium (NWLC) / Yorkshire Book Consortium (YBC)
- 2 If 1 is agreed, approval is also sought, under CPR 5, for the supply of library materials through the North West Libraries Consortium (NWLC) / Yorkshire Book Consortium (YBC) following re-tendering of the contract in 2023.
- 3 The consortium contract for the supply of library materials was awarded via competitive tender, led by Rotherham Metropolitan Borough Council. Lot 1 (adult's) was awarded to Askews & Holts Library Services Ltd and Lot 2 (children's) was awarded to Peters Ltd., both to run for the period 1st August 2023 to 31st July 2026 (with the option to extend by a further 2x12 month periods).
- 4 The value of these contracts is approximately £490k per annum, approximately 50% to each supplier, which may vary depending on publishing and service requirements during the full contract period.

### What impact will this proposal have?

- 5 The key objective for authorities participating in the new tender process will be to enter into Supply Contracts until 31st July 2026 (with the option to extend of a further 2x12 months).
- 6 This will offer savings in terms of procurement process as well as the economies of scale achieved from participating in a contract of this size.
- 7 The agreement offers the member local authorities a simple route to establishing supply arrangements for the provision of all types of library stock materials, achieving greater economies of scale, and removes the need for each authority to undertake a tendering exercise.
- 8 This process has been used to great effect for several years by many of the other authorities within the Yorkshire region.

### How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing

Inclusive Growth

Zero Carbon

- 9 Library materials are the cornerstone of library provision and provide an increased opportunity for participation in cultural activity, enabling a love of reading for pleasure, supporting the development of literacy skills as well as providing access to learning and information, contributing to the wellbeing of citizens and supporting economic development.

### What consultation and engagement has taken place?

Wards affected:

Have ward members been consulted?

Yes

No

- 10 Advice on the re-letting of the contract for supply of Library materials has been sought from colleagues in the Procurement Unit who have identified the use of the consortium contract as a possible source of additional savings through minimising officer time required for managing the tendering process.

## **What are the resource implications?**

- 11 In using the consortium contract, Leeds Libraries will be exempt from having to undertake any further advertising, supplier assessment or adherence to lengthy procurement procedures, therefore, procurement costs and timescales will be minimised.
- 12 Pricing is on the normal library supply basis of a discount off publishers' recommended retail prices, plus a small charge for servicing. The exact terms under the consortium contract will depend upon estimated volumes of business, and the nature of our requirements (for example, level of servicing and proportion of delivery to a central point vs. delivery direct to branch, etc).

## **What are the key risks and how are they being managed?**

- 13 The Library Service must review stock supply prior to August 2019 to ensure continuation of services to the public and to meet statutory obligations under the Public Libraries and Museums Act 1964.
- 14 The consortium contract provides an opportunity to enter into contracts with suppliers without the cost and time implications of a tender exercise.
- 15 Regular review meetings are held with account managers with suppliers to address any issues with contract performance.

## **What are the legal implications?**

- 16 The procurement will comply with the following parts of Contract Procedure Rule 5 –
  - “5.1. Any joint procurement for the benefit of the Council together with one or more public bodies will be formally approved by the relevant Chief Officer as a Delegated Decision before the procurement commences.
  - 5.3. Where the Council is going to take part in a procurement that is conducted by another public body the procurement must be carried out in accordance with the procuring body's procurement rules and the Public Contracts Regulations, but the Authorised Officer will in any event comply with CPRs 3.1 to 3.3 (except for 3.1.13, 3.1.19 and 3.1.20).”
- 17 This is a key decision and is eligible for call-in.

## **Options, timescales and measuring success**

### **What other options were considered?**

- 18 The only alternative option is that Leeds City Council conduct its own tendering exercise. This would be time consuming and costly to conduct and the service is unlikely to achieve the same level of savings afforded through the consortium contract's economies of scale.

### **How will success be measured?**

- 19 The consortium contract will provide the opportunity to ensure the continued provision of library stock materials with limited cost and time implications, with the additional benefits expected from increased economies of scale.

### **What is the timetable and who will be responsible for implementation?**

- 20 Immediate implementation by the Strategic Library Manager.

## **Appendices**

- None

## **Background papers**

- None