

Report of Parks Technical Officer

Report to Chief Officer Parks and Countryside

Date: 12th July 2019

Subject: Waiver of Contract Procedure Rules (CPRs) 8.1 and 8.2 in accordance with CPR 27 and approval to award contracts directly to providers for veterinary services without seeking competition.

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has consultation been carried out?	<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
Will the decision be open 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

1. Main issues

- Leeds City Council, Parks and Countryside service operates three licensed zoo collections at Tropical World (Roundhay Park), Lotherton Wildlife World (Lotherton Hall) and the West Leeds Country Park Visitor Centre (Pudsey Park). The service also operates a rare breeds and traditional farm animals farm at Home Farm (Temple Newsam). The four collections house a variety of rare, exotic and domestic animals.
- The Council has an obligation to ensure the welfare of the animals by ensuring adequate veterinary services are provided and available whenever required.
- It is therefore requested that the Chief Officer Parks and Countryside waive contract procedure rules to enable the continued purchase of veterinary services.

2. Best Council Plan Implications (click [here](#) for the latest version of the Best Council Plan)

The priorities identified in the Best Council Plan 2019/20 – 2020/21 of most relevance to this project are;

- Enhancing the image of Leeds through major events and attractions
- Supporting healthy, physically active lifestyles

- Improving educational attainment and closing achievement gaps for children and young people vulnerable to poor learning outcomes
- Improving social, emotional and mental health and wellbeing

3. Resource Implications

- The zoos and farm contribute to the revenue income of the authority. Visits to these attractions also encourages secondary spends in café's and shops where they are located, not to mention the potential for secondary spend throughout the city.
- The welfare of the animals and regular site visits by veterinary expertise is paramount to the running of these attractions and the requirements of the zoo licence legislation. The market sounding exercise and research undertaken in conjunction with the Councils Procurement and Commercial Services and the service has identified a lack of appetite within this market. Only three organisations in total viewed the opportunity to reply, with only two responses received in total.

Recommendations

a) The Chief Officer Parks & Countryside is requested to:

a) waive contract procedure rules 8.1 and 8.2 (in accordance with CPR27) in respect of the requirement to approach suppliers for the provision of veterinary services.

b) approve the expenditure and provide authority to spend up to the sum of £50,000 with IZVG, £5,000 with Parkhill Vets Ltd and £2,500 with Holly House Veterinary Hospital Ltd over a period of 12 months from the date of approval.

1. Purpose of this report

- 1.1 This report is to seek approval from the Chief Officer Parks and Countryside to waive contract procedure rules 8.1 and 8.2 (in accordance with CPR27) to allow the purchase of veterinary services from the organisations listed above.
- 1.2 To seek approval from the Chief Officer to approve the expenditure as detailed above for veterinary services.

2. Background information

- 2.1 The Leeds City Council zoos are all licensed under zoo licence legislation as required by DEFRA. The collections have a legal requirement to provide the best care possible for its stock.
- 2.2 The zoos and farm form part of the Parks & Countryside's estate visitor attractions. As part of the last Leeds Parks Survey that was undertaken in 2016 the estimated number of adult visits across the four sites is over 13.5 million visits per annum. This generates a significant amount of income for the authority, in 2018/19 the collective income generated from admissions alone into the zoos and farm was over £3.25 million.

3. Main issues

- 3.1 Leeds City Council, Parks and Countryside service operates three licensed zoo collections at Tropical World (Roundhay Park), Lotherton Wildlife World (Lotherton Hall) and the West Leeds Country Park Visitor Centre (Pudsey Park). The service also operates a rare breeds and traditional farm animals farm at Home Farm (Temple Newsam). The four collections house a variety of rare, exotic and domestic animals.
- 3.2 The Council has an obligation to ensure the welfare of the animals by ensuring adequate veterinary services are provided and available whenever required. The wide variety of animal types and species has meant that one single veterinary group does not have the specialist expertise to provide a service for all four collections.
- 3.3 The Parks & Countryside service currently works with the following veterinary services; International Zoo Veterinary Group (IZVG), Parkhill Vets Ltd and Holly House Veterinary Hospital Ltd. The IZVG specialises in zoo, aquatic and exotic animals. Parkhill Vets provides small animal, farm and equine services. Holly House Vets are generally only used in emergency situations.
- 3.4 A market sounding exercise was recently undertaken via YORtender, the procurement portal for the Yorkshire and Humber region, to gather knowledge on the potential level of interest from providers in this opportunity and to assess the capability of providers to deliver a tried and tested programme. The results of the market sounding exercise were very poor with only two veterinary groups expressing an interest in a potential procurement option. The two expressions of interest were received from the International Zoo Veterinary Group and Parkhill Vets Ltd, two providers that the service already work with.
- 3.5 It is therefore requested that the Chief Officer Parks and Countryside waive contract procedure rules to enable the purchase of veterinary services.

4. Corporate considerations

4.1 Consultation and engagement

4.1.1 Consultation was not undertaken on the proposal to waiver contract procedure rules given that the decision being taken does not materially affect the general public.

4.2 Equality and diversity / cohesion and integration

4.2.1 A screening document was completed in respect of the decision proposed to be taken within this report and that process established that a full equality impact assessment was not required.

4.2.2 In support of the above statement, it is felt that the proposal does not adversely affect how services are organised, provided or located. The service is seeking to improve the way in which a service is delivered to the public through better access to the existing resources. Furthermore, the changes made will have no discernible negative effects on service users and will provide only benefits to those using the site.

4.3 Council policies and the Best Council Plan

4.3.1 The Vision for Leeds 2011 to 2030 is to be the best city in the UK by 2030. It has specific aims that the economy will be prosperous and sustainable and that all Leeds' communities will be successful, where there are high quality buildings, places and green spaces which are clean, looked after and respect the city's heritage.

4.3.2 Effective management of the animal collections will enable Parks and Countryside to sustain and grow existing revenue streams. The zoos also contribute to the priority of 'Improving educational attainment' through both active and passive learning experiences.

Climate Emergency

4.3.3 The main objectives of the animal collections are for educational and conservational purposes. Part of this objective is to teach and promote the importance of climate change.

4.3.4 The Parks & Countryside service are pro-actively adapting to climate change in all aspects of management practises. Climate change will form an integral part of the new Parks and Green Space strategy which is currently being prepared.

4.3.5 Further information on adaptation to climate change can be found in the Executive Board report from April 2017 'Leeds Quality Park Assessments (Adaptation to Climate Change).

4.4 Resources, procurement and value for money

4.4.1 The animal collections contribute to the revenue income of the authority and visits to these attractions also encourages secondary spend in café's and shops where they are located and increases the potential for secondary spend throughout the city.

4.4.2 The responses received in the recent market sounding exercise has confirmed the lack of alternative veterinary services available for the variety of animals that we have. The veterinary groups that did respond are companies that have worked with the collections for decades and therefore have an in-depth knowledge of the history of the sites and any disease trends.

4.5 Legal implications, access to information, and call-in

- 4.5.1 This report is not eligible for call in due to the proposed value and nor is the marginal impact considered to be significant, meaning this therefore represents a 'significant operational' decision. No sections of this report are restricted under the access to information rules. A waiver of the council's contract procedure rules is required to allow the procurement of a particular service without competition for the reasons outlined in this report.
- 4.5.2 Awarding the contract directly to veterinary practices listed, in this way, could leave the Council open to a potential claim from other providers to whom this contract could be of interest. In terms of transparency, it should be noted that it is a requirement of European case law that contracts of this value are subjected to a degree of advertising. It is up to the Council to decide what degree of advertising is appropriate. In particular, consideration should be given to the subject-matter of the contract, the estimated value, the specifics of the sector concerned (size and structure of the market, commercial practices, etc.) and the geographical location of the place of performance.
- 4.5.2 This has been considered, and given the nature of the services provided, the risks are considered low.
- 4.5.4 There is a risk of an ombudsman investigation arising from a complaint that the Council has not followed reasonable procedures, resulting in a loss of opportunity. Obviously, the complainant would have to establish maladministration. It is not considered that such an investigation would necessarily result in a finding of maladministration however such investigations are by their nature more subjective than legal proceedings.
- 4.5.5 Whilst making the decision, the Chief Officer Park and Countryside should acknowledge the risks identified above.

4.6 Risk management

4.6.1 There are no significant risks associated with this decision.

5. Conclusions

5.1 It is therefore proposed to continue to procure the veterinary services of the International Zoo Veterinary Group, Parkhill Vets Ltd and Holly House Veterinary Hospital Ltd to ensure the continued welfare of the animals within these collections.

6. Recommendations

6.1 The Chief Officer Parks & Countryside is requested to:

- a) waive contract procedure rules 8.1 and 8.2 (in accordance with CPR27) in

respect of the requirement to approach suppliers for the provision of veterinary services.

b) approve the expenditure and provide authority to spend up to the sum of £50,000 with IZVG, £5,000 with Parkhill Vets Ltd and £2,500 with Holly House Veterinary Hospital Ltd over a period of 12 months from the date of approval.

7. Background documents¹

7.1 None

¹ 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.