

**Report of: Chief Officer Civic Enterprise Leeds**

**Report to: Director of Resources and Housing**

**Date: 25<sup>th</sup> January 2021**

**Subject:** Cooperation Agreement to utilise Leeds Teaching Hospital Trust for Security Services at Merrion House and Compton Road One Stop Centre.

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 checked="" type="checkbox"/> Yes <input 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 checked="" type="checkbox"/> Yes <input 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

- Civic Enterprise Leeds (CEL) Facilities Management (FM) currently has an agreement in place for the provision of Security Services with Leeds Teaching Hospital Trust (LTHT) servicing both Merrion House and Compton Road One Stop Centre which is due to expire on 31<sup>st</sup> March 2021.
- A review of existing security arrangements prior to the LTHT agreement showed that security staff training was insufficient for dealing with the level and number of violent and aggressive incidents which were being experienced. As a result of this review, a cooperation agreement with Leeds Teaching Hospital Trust was created to supply the front of house security provision at both Merrion House and Compton Road One Stop Centre.
- The cooperative agreement to be arranged under Regulation 12(7) of the Public Contracts Regulation 2015 will be for a 3 year period with an option to extend for a further year. The annual cost of this security service will be approximately £336k.

## 2. Best Council Plan Implications (see the [latest version of the Best Council Plan](#))

This agreement will contribute to achieving the following Best Council Plan objectives:

- **Safe, Strong Communities** – ‘Keeping people safe from harm, protecting the most vulnerable’ ‘tackling crime and antisocial behaviour’ and ‘being responsive to local needs, building thriving, resilient communities’.
- **Age Friendly Leeds** – ‘Making Leeds public spaces and buildings accessible, safe, clean and welcoming’.

## 3. Resource Implications

- Resources are available from both CEL, Procurement and Commercial Services and Legal to meet the requirements of developing a cooperative agreement exclusively between two public authorities under Regulation 12(7) of the Public Contracts Regulation 2015.
- The financial cost of this agreement can be met from existing budget provision.

## Recommendations

The Director of Resources and Housing is recommended to provide both the authority to procure and spend for the commencement of developing a cooperative agreement with LTHT to provide the front of house security service at Merrion House and Compton Road One Stop Centre, starting on 1<sup>st</sup> April 2021 for 3 years with a one year extension option with an annual cost of £336k. The maximum value of the contract if all extensions are used is £1.34m.

## **1. Purpose of this report**

- 1.1 To seek approval from the Director of Resources and Housing for authority to procure the front of house security service at Merrion House and Compton Road One Stop Centre, starting on 1<sup>st</sup> April 2021. To also seek authority to incur annual estimated expenditure of up to £336k.

## **2. Background information**

- 2.1 CEL Facilities Management has responsibility for the building management at both Merrion House and Compton Road One Stop Centre which includes ensuring that both visitors and staff working at these buildings can do so in a safe and secure environment. In order to achieve this, the provision of FM includes the front of house security arrangements dealing with reported violence and aggressive incidents.
- 2.2 A review of existing security arrangements prior to the LTHT agreement showed that inhouse security staff were unable to effectively deal with the level and number of violent and aggressive incidents which were being experienced. As a result, Leeds City Council staff and members of the public were being put at risk. Therefore, security staff with the required skills were needed to mitigate these incidents.
- 2.3 Previous joint service working with LTHT demonstrated that they could supply front line security services with the experience and competencies of dealing with violent and aggressive incidents and have been effective in curbing similar anti social behaviour in buildings. After the initial agreement and successful period of using LTHT security services, consultation has taken place to review this arrangement and enter into a cooperative agreement in accordance with Regulation 12(7) of the Public Contracts Regulation 2015.

## **3. Main issues**

- 3.1 In order to deliver a consistent and efficient security service for FM, to supply of front line security services that have experience and the required competencies of dealing with violent and aggressive incidents and have a proven track record of working in these buildings.
- 3.2 There will be constant review of the security services provision provided to reduce costs and ensure value for money. With social added value requirements that will be monitored as part of the contract management plan. Security staff need to be available 6 days a week.
- 3.3 The current SLA with Leeds Teaching Hospital Trust at Merrion House is due to expire on 31<sup>st</sup> March 2021, and Compton Road One Stop Centre expires on 31.07.2021. With agreement we will look for the SLA to end in both locations on 31.03.2021. Colleagues in Procurement and Commercial Services (PACS) have advised that use of a co-operative agreement would be the most appropriate method of securing the LTHT security service. A co-operative agreement is

concluded exclusively between two public authorities, the parties agree that by virtue of Regulation 12(7) of the Public Contracts Regulation 2015 this arrangement falls outside the scope of Part 2 of those Regulations because the following conditions are fulfilled:

- a. The agreement implements a co-operation between the parties with the aim of ensuring that public services they have to perform are provided with a view to achieving objectives they have in common;
- b. The implementation of that co-operation is governed solely by considerations relating to the public interest; and
- c. Both parties perform on the open market less than 20% of the activities concerned by this co-operation.

3.4 The proposed timetable for delivery of this agreement is set out below:

<b>An indicative timetable for the proposed procurement process is set out below:</b>	
Cooperative Agreement Award	February 2021
Contract Start	1 <sup>st</sup> April 2021

#### **4. Corporate considerations**

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

- 4.1.1. The management and staff at both Merrion House and Compton One Stop Centre have been consulted and are in favour of continuing with the service currently provided by LTHT security services.
- 4.1.2. It is not considered that the content of this report or the suggested recommendations will have a significant impact on any particular ward or community and as such no consultations have taken place beyond the management, staff members of the building, PACS and Leeds City Council Legal Services.

##### **4.2. Equality and diversity / cohesion and integration (EDCI)**

- 4.2.1. It is not considered that the content of this report or the suggested recommendations will have any impact on any specific individuals or groups in terms of equality, diversity, cohesion and integration.

##### **4.3. Council Policies and the Best Council Plan**

- 4.3.1. Below are some of the Best Council Plan priorities that approving this agreement will contribute in achieving:
- 4.3.2. **Safe, Strong Communities** – ‘Keeping people safe from harm, protecting the most vulnerable’ and ‘Being responsive to local needs, building thriving, resilient communities’.

## Climate Emergency

4.3.3 The agreement will continue to look closely at how the service provider will work with Leeds City Council to meet requirements to reduce their impact on the environment. Where necessary, this will include looking at use of climate friendly vehicles, where available, in the delivery of the service.

### **4.4. Resources, procurement and value for money**

4.4.1 Resources are available from both CEL, PACS and Legal to meet the requirements of developing a cooperative agreement exclusively between two public authorities under Regulation 12(7) of the Public Contracts Regulation 2015.

4.4.2 The cost of implementing this cooperative agreement with Leeds Teaching Hospital Trust will be £336k per year with the maximum cost not exceeding £1.34m within the 4 years period.

4.4.3 The annual security costs provided by LTHT are in line with our own in-house security costs and these costs can be met from the existing budget provision. We have also completed a soft benchmarking/market testing exercise covering security services costs which confirmed that LTHT are offering value for money.

### **4.5. Legal implications, access to information, and call-in**

4.5.2 Advice and guidance has been sought from PACS and Leeds City Council Legal Services in entering into a cooperative agreement with LTHT.

4.5.3 As the value of the proposed agreement exceeds £500k, it is a Key Decision subject to call in. There are no grounds for keeping the contents of this report confidential under the Access to Information Rules.

### **4.6. Risk management**

4.6.1 The risks relating to the number of aggressive incidents experienced in both Merrion House and Compton Road One Stop Centre have been significantly reduced since the existing security arrangements were put in place with LTHT.

4.6.2 By using the security services supplied by LTHT we have ensured that the relevant knowledge, resource, experience and support are in place to protect Leeds City Council staff and members of the public from violent and aggressive behaviour. LTHT security staff recognise and assess situations resulting in reducing risk, and maintaining an incident log.

4.6.3 LTHT will provide a full suite of risk assessments covering security operations to be adhered to by security staff during the length of cooperative agreement.

## **5. Conclusions**

- 5.1 The current security arrangement needs to continue to provide a solution for dealing with the high level of violent and aggressive behaviour which had previously been experienced at both buildings.
- 5.2 The experience of LTHT security services currently provides assurance to Leeds City Council and the management and staff working at Merrion House and Compton Road One Stop Centre that the best solution for managing violent and aggressive incidents is in place.

## **6. Recommendations**

- 6.1 The Director of Resources and Housing is recommended to provide both the authority to procure and spend for the commencement of developing a cooperative agreement with LTHT to provide the front of house security service at Merrion House and Compton Road One Stop Centre, starting on 1st April 2021 for 3 years with a one year extension option with an annual cost of £336k. The maximum value of the contract if all extensions are used is £1.34m.

## **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.