

# Provision of Security services at Leeds Kirkgate Market

Date: 27 September 2022

Report of: Deputy Markets Manager

Report to: Chief Officer Operations and Active Leeds

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

## What is this report about?

The contract for the provision of security services at Leeds Kirkgate Market is due to end in November 2022.

The overriding objective of the security contract is to provide a high-profile retail security presence for the indoor and outdoor markets. The appointed supplier will work with the Market team and traders to ensure the market continues to be a safe and welcoming place to visit.

A further competition has been undertaken via the ESPO 347\_22 Security Services Framework and this report seeks approval to enter into a contract with the winning supplier.

The provision of a high-quality security service is an integral element within the Kirkgate Market Strategy Vision (2021-2026) which sets out that the future vision for the market and is intrinsically linked to the Best Council Plan. The vision is for the market to be:

- an inclusive, successful and sustainable part of our city-centre offer, where independent retailers can innovate and thrive;
- an attractive, safe and welcoming destination where our investment secures the unique offer for future generations;
- a place for everyone, where people can experience Leeds, its people, heritage and culture.

## Recommendations

- a) The Chief Officer Operations and Active Leeds is recommended to award a contract for the provision of security services at Leeds Kirkgate Market to Secure FM Limited.
- b) The contract will commence on 4<sup>th</sup> November 2022 and will expire on 3<sup>rd</sup> November 2025. There will be an option for a monthly rolling extension, for a maximum period of 12 months. The contract is valued at approximately £308,000 across the period of three years however this will depend on usage.

## Why is the proposal being put forward?

- 1 Following approval of the authority to procure report, a procurement process has been followed in order to appoint a security provider for Kirkgate Market. The contract is required in order to

maintain security and safety of users of the market. Secure FM Limited were the highest scoring bidder.

- 2 The tender was published to all suppliers on the ESPO Framework Sub Lot A, with five bids being received. All of these bids passed the minimum quality thresholds. The tenders were evaluated on a price and quality combined basis, in accordance with the framework terms and conditions. Price was allocated 60% of the points and Quality was allocated 40%. The price element was split as follows:
  - a) Hourly rate per officer for the standard hours
  - b) Enhanced rate for any additional hours
  - c) Senior guard rate for the standard hours
- 3 10% of the quality points were allocated to social value, which was scored by the Social Value Portal.
- 4 Secure FM Ltd scored the highest price and quality combined score.

### What impact will this proposal have?

#### Wards affected:

Have ward members been consulted?       Yes       No

- 5 The appointed supplier will work with the Market team and traders to ensure the market continues to be a safe and welcoming place to visit.

### What consultation and engagement has taken place?

- 6 Full consultation will be undertaken with the incumbent supplier and the incoming supplier to ensure a smooth transition between the end of the existing contract and the commencement of the new contract including adherence to all Transfer of Undertakings (Protection of Employment) regulations (TUPE) arrangements.

### What are the resource implications?

- 7 The estimated value for the contract over the four years is c£308k excluding any annual increases because of pay awards to the security officer and increases to the Minimum or National Living wage. The cost of the contract is recharged to the Market traders via their service charge rental agreements and the Market service's operating budgets.

### What are the legal implications?

- 8 As the total estimated cost for the duration of the contract is c£308k it is therefore a Significant Operational decision and is not subject to call-in.
- 9 In line with Contract Procedure Rule 9.1 and 9.2 this is a High Value Procurement and was undertaken as such.
- 10 A voluntary standstill period was undertaken following the evaluation process and no challenges were raised.

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

- 11 Complications and delays with staff transferring under TUPE - The Chief Officer, Operations, should note that these risks are considered improbable and a successful outcome is expected. However, should

any/all of these risks materialise and an appointment is not made then the contingency will be to consider alternative options such as varying the existing contract with the current supplier or seeking a waiver.

- 12 Significant increase in costs – there is a risk that the National Minimum / Living wage will be increased significantly, which would incur additional costs to the Council. As these would be statutory wage increases these would need to be absorbed by the Council.

### **Does this proposal support the council's three Key Pillars?**

- Inclusive Growth       Health and Wellbeing       Climate Emergency

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

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

- 13 A direct award was considered under the framework, however it was considered that a further competition process would result in better value for money for the Council.

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

- 14 The successful bidder will work with the Market team and traders to ensure the market continues to be a safe and welcoming place to visit. This can be indirectly measured by analysing customer footfall data along with other key indicators including the retention of existing businesses and attracting new businesses to the market.

#### **What is the timetable for implementation?**

- 15 The decision will be implemented as soon as it has been taken.

### **Appendices**

- 16 Confidential Appendix 1

### **Background papers**

- 17 N/A