

North Tyneside Council Report to Cabinet 11 August 2014

ITEM 6(e)
Procurement
Arrangements for the
Supply of Beach
Lifeguarding Services

Portfolio(s): Housing and Environment

Cabinet Member(s): Councillor
John Harrison

Report from Service

Area: Local Environmental Services, Environment and Leisure

Responsible Officer: Phil Scott, Head of Environment and Leisure (Tel: (0191) 643 7295)

Wards affected: St Mary's, Monkseaton North, Whitley Bay, Cullercoats and Tynemouth Wards

PART 1

1.1 Purpose:

The purpose of the report is to seek Cabinet approval to award the beach lifeguard service to the Royal National Lifeboat Institute. The contract period will run from May 2015 to September 2019. The current contract ends on 30th September 2014. In accordance with Contract Standing Order 8(4), Cabinet approval is required as the value of the contract is likely to exceed £500,000.

1.2 Recommendation(s):

It is recommended that Cabinet:

- 1) Authorise the Head of Environment and Leisure and the Strategic Manager for Finance, in consultation with the Cabinet Member for Housing and Environment, to award the beach lifeguarding contract to the RNLI for a 5 year period for Jan- May 2015 to September 2019 inclusive, on terms and conditions approved by the Head of Law and Governance.

1.3 Forward Plan:

This report has been included in the Forward Plan for the period 11th August 2014.

1.4 Council Plan and Policy Framework

This report relates to the following themes in the [2012-15] Council Strategic Plan:

- (1) **Our Places** – will be places that people like living in and will attract others to either visit or live.

1.5 Information:

- 1.5.1 Every year thousands of people visit beaches in North Tyneside. Under the Occupiers Liability Act 1957, the Authority has a duty of care for these visitors, particularly in relation to health and safety and water safety issues. The Authority therefore provides a beach lifeguard service to fulfil these obligations.
- 1.5.2 The Authority currently delivers a seasonal beach lifeguard service as part of a contractual arrangement with the Royal National Lifeboat Institute (RNLI). The RNLI are a registered charity who specialise in water safety and lifeguarding services. The current contract commenced in May 2010 and ends in September 2014. Prior to the current contractual arrangement, the service was delivered by the Authority.
- 1.5.3 34 full time beach lifeguard staff are employed by RNLI on the four resort beaches; Whitley Bay, Cullercoats, Tynemouth Longsands and King Edward's Bay, from May until September every year.
- 1.5.4 Over the past 4 years, the RNLI has successfully provided a beach lifeguard service in line with the service specification. The RNLI have also invested charitable income into the service including the refurbishment of existing lifeguard buildings and carrying out staff development beyond anything the Authority is currently able to resource. They also deliver beach and water safety education throughout the summer, and local safety events throughout the winter season. This year, they also increased the length of their operational season during weekends throughout April and early May, prior to the official contract start date, all at no additional cost to the Authority.
- 1.5.5 At the end of every season, the RNLI produces a report outlining and summarising the performance of the service. Over the past 4 years, the RNLI has reported supervising hundreds of thousands of beach visitors and dealing with 1,344 incidents, ranging from missing persons to major incidents. Importantly they have reported saving 17 lives.
- 1.5.6 The provision of a lifeguard service forms an essential part of the assessment criteria for the Seaside Awards and Blue Flag awards. The Authority was awarded 3 Blue Flags and 4 Seaside Awards in 2013/14.
- 1.5.7 The proposal is to provide a complete beach lifeguarding service on a non-commercial basis and at a fixed fee.
- 1.5.8 During the last tendering exercise, the RNLI were the only organisation to tender for the contract. It is unlikely that a new tendering exercise would identify another provider who could provide the same level of investment into the service.

1.6 Decision options:

The following decision options are available for consideration by Cabinet:

Option 1

Approve the recommendations at paragraph 1.2 above.

Option 2

Not approve the recommendations at paragraph 1.2 above.

Option 3

Cabinet could decide that the Authority will now deliver this service directly, however an estimated additional £70,000 per annum would be required to deliver the appropriate level of lifeguard service.

Option 1 is the recommended option.

1.7 Reasons for recommended option:

Option 1 is recommended for the following reasons:

If Cabinet approves the recommended option, the Authority will be in a position to award a new contract ready for the beach life guarding service commencing in May 2015. This would continue for a 5 year term on a seasonal basis until September 2019. This will ensure continuity of service provision.

If the preferred option is not approved, the beach lifeguarding service will return to the Authority. In doing so, the Authority would need to secure additional resource to the value of approximately £70,000 per year in order to provide the required resource and equipment needed to deliver this service. No budget currently exists to support this.

1.8 Appendices:

None.

1.9 Contact officers:

Phil Scott, Head of Environment and Leisure, tel. (0191) 643 7295

Samantha Dand, Senior Manager, Local Environmental Services, tel. (0191) 643 7294

Wendy Brown, Street Cleansing and Enforcement Manager,

Local Environmental Services, tel. (0191) 643 7302

Marcus Jackson, Seafront and Environmental Protection Officer,

Local Environmental Services, tel. (0191) 643 7281

Judith Robson, Procurement and Contracts Officer, Procurement Services,

tel. (0191) 643 5660

Alison Campbell, Finance Business Manager, tel (0191) 643 7038

1.10 Background information:

None.

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

The authority expects to be able to let this contract at the rate currently paid and as such there will be no financial implications from extending this contract.

2.2 Legal

The services described in the report fall within 'part B' of the Public Contracts Regulations 2006. They are not therefore subject to the full OJEU tendering process

In awarding a contract directly to RNLI, the Authority must ensure that the arrangements with RNLI will provide value for money to the Authority.

2.3 Consultation/community engagement

Any procurement process will be undertaken in accordance with the Council's Contract Standing Orders, EU and UK public procurement legislation. Any award will be placed on obtaining best value for money, and improvements to existing services.#

2.4 Human rights

There are no human rights implications arising from this report.

2.5 Equalities and diversity

There are no equalities and diversity implications arising from this report.

2.6 Risk management

There are no risks associated arising from this report.

2.7 Crime and disorder

There are no crime and disorder implications directly arising from this report.

2.8 Environment and sustainability

There are no direct issues relating to environment or sustainability arising from this report.

PART 3 - SIGN OFF

- Deputy Chief Executive x
- Head of Service x
- Mayor/Cabinet Member(s) x
- Chief Finance Officer x
- Monitoring Officer x
- Strategic Manager–
Strategic Services x