

# North Tyneside Council Report to Cabinet 10 August 2015

**ITEM 6(d)**

**Stairlift, Through floor  
lift & Ceiling Track  
Term Contract 2016-19**

**Portfolio(s):** Adult Social Care

**Cabinet Member(s):** Cllr A Waggott  
Fairley

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**Report from Service**

**Area:** Adult Social Care

**Responsible Officer:** Jacqui Old  
Head of Adult Social Care (Tel: (0191) 643  
7317 )

**Wards affected:** All

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## **PART 1**

### **1.1 Purpose:**

The purpose of the report is to seek approval for the Council to undertake a procurement exercise in order to appoint a preferred provider to install and maintain stairlifts, through floor lifts and ceiling track hoists in domestic properties. In accordance with Contract Standing Order 8(4), this report requests approval to proceed with a procurement exercise as the estimated potential contract value is in excess of £500,000.

### **1.2 Recommendation(s):**

It is recommended that Cabinet authorise the Head of Adult Social Care in consultation with the Head of Law and Governance, the Strategic Manager Finance and the Cabinet Member for Adult Social Care, to

- (a) undertake a procurement exercise compliant with the Public Contract Regulations 2015 in order to identify a preferred provider for the installation and maintenance of stairlifts, through floor lifts and ceiling track hoists in domestic properties; and
- (b) if considered economically advantageous for the Council, award a contract for the installation and maintenance of stairlifts, through floor lifts and ceiling track hoists in domestic properties for a period of 3 years, commencing April 2016 with an option to extend for one year.

### **1.3 Forward Plan:**

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 20<sup>th</sup> April 2015.

## 1.4 Council Plan and Policy Framework

This report relates to the following priorities in the 2014/18 Our North Tyneside Plan:

Our People will:

- Be listened to by services that respond better and faster to their needs.
- Be supported to achieve their full potential, especially our children and young people.
- Be supported to live healthier and longer lives.
- Be cared for and kept safe if they become vulnerable.

## 1.5 Information:

### 1.5.1 Background

1.5.2 The Chronically Sick and Disabled Persons Act 1970, by virtue of Section 2 provides local authorities with a statutory duty to assist disabled people (as defined by Section 29 of the National Assistance Act 1948) with amongst other things assistance in arranging adaptations or provision of additional facilities to promote safety, comfort or convenience. There is also a duty to assess disabled people enshrined within the National Health Service and Community Care Act 1990.

1.5.3 In order to fulfil this duty, the Council has a contract with a private company for the installation and maintenance of stairlifts, through floor lifts and ceiling track hoists in domestic properties. This contract was awarded on 1 April 2012 and expires on the 31 March 2016.

1.5.4 The contract is not tenure specific meaning that it covers installations for council housing tenants and, through the Disabled Facilities Grant process, includes non-council tenants and owner occupiers.

1.5.5 The Council maximises resources by removing and re-cycling installations when they are no longer required. All of the installations are serviced in accordance with statutory requirements and breakdowns are responded to in accordance with agreed timescales.

## 1.6 Decision options:

The following decision options are available for consideration by Cabinet:

### Option 1

To approve the recommendation to undertake a procurement exercise compliant with the Public Contracts Regulations 2015 in order to identify a preferred provider for the installation and maintenance of stairlifts, through floor lifts and ceiling track hoists in domestic properties, and if considered economically advantageous for the Council, award a contract for 3 years, to commence April 2016 with an option to extend for one year in accordance with the recommendations at paragraph 1.2 above.

### Option 2

Not to approve the recommendation to undertake a Public Procurement Regulations 2015 compliant exercise in order to identify a preferred provider for the installation and maintenance of stairlifts, through floor lifts and ceiling track hoists in domestic properties.

Option 1 is the recommended option.

## **1.7 Reasons for recommended option:**

Option 1 is recommended for the following reasons:

The procurement exercise is aimed at ensuring continuity of service provision so that the Council is in a position to award a contract when the current one ceases on 31 March 2016. This will ensure continuity of statutory provision and will take advantage of achieving the best value for money option for the Council.

## **1.8 Appendices:**

None

## **1.9 Contact officers:**

Eleanor Binks, Manager of Integrated Services, tel. (0191) 643 7076  
Michael Cavagin, Manager of Adaptations & Loan Equipment, tel. (0191) 643 7947  
John Dobson, Principal Environmental Health Officer, tel. (0191) 643 6659  
Alison Campbell, Financial Business Manager, tel. (0191) 643 7038

## **1.10 Background information:**

The following background papers/information have been used in the compilation of this report and is available at the office of the author:

- (1) Chronically Sick and Disabled Persons Act 1970  
<http://www.legislation.gov.uk/ukpga/1970/44/contents>
- (2) Housing Grants, Construction and Regeneration Act 1996  
<http://www.legislation.gov.uk/ukpga/1996/53/section/108>

## **PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING**

### **2.1 Finance and other resources**

There are no financial implications arising directly from this report. The costs of undertaking the tender exercise will be met within existing revenue budgets within the relevant service areas.

Delivery of the contract will be funded from several existing budgets: Disabled Facilities Grant Programme, Housing Capital, Housing Revenue Account and Social Services Chronically Sick and Disabled Persons Adaptations. It is anticipated that the new contract will be able to be delivered within these existing budgets. If, following the tender process, the contract cannot be delivered within the existing budgets, a further report will be brought to Cabinet or Council, as appropriate, for a decision before the contract is awarded. The proposed contract will seek to secure value for money for the Council.

### **2.2 Legal**

The provisions of the Chronically Sick and Disabled Persons Act 1970 and the Housing Grants, Construction and Regeneration Act 1996 place statutory duties on the Council to carry out an assessment of needs of an individual and having completed that assessment provide services, as appropriate, to meet needs of the individual.

Section 2 of the Chronically Sick and Disabled Persons Act 1970 sets out where a local authority having functions under section 29 of the National Assistance Act 1948 is satisfied that it is necessary, in order to meet the needs of a person ordinarily resident within the Authority, for the authority to make arrangements for the provision of practical assistance for that person in his home and the provision of assistance for that person in arranging for the carrying out of any works of adaptation in his home or the provision of any additional facilities designed to secure greater safety, comfort or convenience, then, it shall be the duty of that authority to make those arrangements in exercise of their functions under said section 29.

As the value of the contract as a whole exceeds the EU threshold of £500,000, this procurement requires Cabinet approval. Any procurement process will be undertaken in accordance with the Council's Contract Standing Orders and EU and UK public procurement requirements. Any award will be based on the most economically advantageous tender and the successful contractor will be appointed on terms and conditions approved by the Head of Law and Governance.

The current service is delivered via an existing contractual arrangement that, meets procurement requirements. The contract is due to expire on the 31 March 2016 and the tendering exercise will ensure that legal obligations continue to be met.

## **2.3 Consultation/community engagement**

### **2.3.1 Internal Consultation**

The proposal to go out to tender has been discussed with and is supported by the Cabinet Member for Adult Social Care.

### **2.3.2 External Consultation/Engagement**

The tender exercise will provide the necessary external consultation at this point in line with statutory procurement rules.

## **2.4 Human rights**

There are no human rights implications directly arising from this report.

## **2.5 Equalities and diversity**

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

## **2.6 Risk management**

There are no significant risks associated with the proposed tender exercise.

## **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 environment and sustainability implications arising directly from this report.

### **PART 3 - SIGN OFF**

- Deputy Chief Executive  X
- Head(s) of Service  X
- Mayor/Cabinet Member(s)  X
- Chief Finance Officer  X
- Monitoring Officer  X
- Head of Corporate Strategy  X