
Decision Maker: ENVIRONMENT PORTFOLIO HOLDER

**FOR PRE-DECISION BY THE ENVIRONMENT POLICY,
DEVELOPMENT AND SCRUTINY COMMITTEE**

Date: Tuesday 7 July 2015

Decision Type: Non-Urgent Non-Executive Non-Key

Title: GATEWAY REPORT – PROPOSALS FOR THE TENDERING OF
CONCESSIONS IN PARKS, RECREATION GROUNDS AND
GREENSPACE

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Chief Officer: Executive Director of Environment & Community Services

Ward: (All Wards);

1. Reason for report

This report provides background information and proposals for seeking innovative and appropriate concessions, within parks, recreation grounds and the broader greenspace within Bromley.

2. RECOMMENDATION(S)

2.1 That the Environment Policy and Development Scrutiny Committee:

2.1.2 Consider the details of the proposed tender process and timescale outlined within this report, and provide the Portfolio Holder with their comments.

2.2 That the Portfolio Holder for Environment:

2.2.1 Considers the details of the proposed tender process outlined within this report and the comments provided by the Environment Policy and Development Scrutiny Committee.

2.2.2 Approves the proposed tender process and authorises officers to undertake the tendering process.

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Quality Environment Vibrant, Thriving Town Centres:
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Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A
 3. Budget head/performance centre: Parks and Green Space
 4. Total current budget for this head: £5.7m
 5. Source of funding: Existing revenue budget 2015/16
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Staff

1. Number of staff (current and additional): n/a
 2. If from existing staff resources, number of staff hours: n/a
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Legal

1. Legal Requirement: Non-Statutory - Government Guidance:
 2. Call-in: Applicable:
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): available to all Borough residents and visitors
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: n/a

3. COMMENTARY

- 3.1 The Authority possesses the largest number of parks, recreation grounds, and countryside and greenspace sites within London; including Crystal Palace Park – which is of regional significance. There are 157 other named locations which offer residents and the visiting public access to a variety of landscapes.
- 3.2 Many of these sites offer both active and passive traditional recreation pursuits aligned with conventional park infrastructure such as, sports pitches, pavilions and children's' playgrounds. In more recent years many aspects have been exposed to private sector management and operation, including golf courses, catering concessions, pre-school accommodation. Equally, LBB have engaged with the broader user base such as Friends groups and other interested parties with services being delivered through devolved management such as Bowls, Cricket, Rugby and Football – all hitherto formerly Council administered and directly provided services.
- 3.3 Other than these orthodox activities, there is a lack of other concessions within the Borough's parks and greenspace, - many of which are close to housing, good transport facilities with some even have existing car parks and other relevant infrastructure. Equally Bromley is blessed in having many parks located at the very centre of each community; with their wide catchment and proximity to good rail links from London.
- 3.4 To stimulate interest in the market it is therefore proposed, in line with the Council's Procurement process, to invite expressions of interest from 3rd parties for significant concession type arrangements via a Pricing Prior Information Notice (PIN) placed within the Official Journal of the European Union (OJEU) by the Authority, (OJEU) in July 2015, followed by an EU compliant contracting process for a service concession type arrangement.
- 3.5 Prospective tenderers will initially be required to set out the broad concept of their proposals, preferred site location/s and proposed service arrangements for the delivery of the concession. The likely period would be 5+5 years but others may be longer and it is expected that the lease/contracting arrangement will be based on transferring full operational risk/cost to the service provider.
- 3.6 Proposals will be considered and presented to members for further consideration via the appropriate decision making process.

4. FINANCIAL IMPLICATIONS

- 4.1 Prior to any final decision being made, a full financial assessment of the potential proposals will be undertaken as part of the evaluation of the tender process and the results reported back to Members for consideration.

5. LEGAL IMPLICATIONS

- 5.1 The proposals are most likely to be considered to be public service concession contracts. A concession contract is an agreement between a contracting authority and suppliers (mostly private companies) where suppliers are given the right to exploit works or services provided for their own gain. Suppliers can either receive consideration for their services solely through third party sources or partly through consideration from the contracting authority along with income received from third parties.
- 5.2 Whilst the EU Concessions Directive (2014/23/EU) has yet to be fully implemented into UK law then following the procedure outlined in the report will support good procurement practice and reduce the risk of challenge by unsuccessful parties.

6. PROCUREMENT IMPLICATIONS

- 6.1 Procurement comments are included in the commentary – there is no further information to add.

7. STAKEHOLDER CONSULTATION

- 7.1 There has been no stakeholder consultation undertaken at this stage as it is unclear at what sites and what proposals may stem from this scoping exercise. Once initial tender proposals have been received and evaluated, Ward Members, Friends Groups and other stakeholders will be consulted and their views will form the basis of whether schemes are further developed, following negotiation and discussion with the proposer/s.

8. MARKET CONSIDERATIONS

- 8.1 Concession's within Bromley's parks and greenspaces are currently under-developed and relate largely to catering franchises (i.e. Crystal Palace Park and Kelsey Park etc).. In addition there is pitch and putt course at Sparrows Den, aligned with a small catering outlet and a boating operator in Crystal Palace.
- 8.2 Initial discussions with the market indicate that there is scope for additional concession type arrangements at a number of LBB sites.

9. OUTLINE CONTRACTING PROPOSALS & PROCUREMENT STRATEGY

- 9.1 All contracts for the proposals will be undertaken in accordance with the Council's Procurement Guidance and with the advice of the Council's Head of Procurement.

Non-Applicable Sections:	PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	N/A