

Request for Greater London Returning Officer (GLRO) Decision – GLR016-13

Title: Hire of a venue to use as a training centre prior to the 2016 Mayoral and London Assembly Elections.

Executive Summary:

The Mayor of London and London Assembly elections will take place on Thursday 5th May 2016. A decision has been taken to extend the e-counting contract for this election. A decision is required to secure Lampton Park Conference Centre, Hounslow as a training venue for all operators of the e-counting equipment.

Decision:

That the GLRO approves:

- expenditure of £27,000 to enter into a short-term rental agreement (from 1 February to 18 March 2016) and pay a deposit to Lampton Park Conference Centre, Hounslow for the hire of accommodation to use as a training centre for all e-counting equipment operators and associated staff, and;
- an exemption from the requirement under section 4.1 of the GLA's Contracts and Funding Code to seek competitive tenders for or call off the supply of the premises from an accessible framework.

Greater London Returning Officer

The above request has my approval.

Signature

Date

PART I - NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1. Introduction and background

- 1.1 The elections for the Mayor of London and the London Assembly will take place in May 2016. The contract for e-counting that was in place for the 2012 elections has been extended for these elections. There is now a requirement to procure a suitable venue for use as a training centre for all the e-counting staff from the constituencies.
- 1.2 The training venue needs to meet various criteria including good transport links, uninterrupted availability for the required period, an accessible venue and to be of a size that will comfortably hold all of the required equipment, staff and trainees. The training period is scheduled to be from 1 February to 18 March 2016 and so the venue is required for this duration.
- 1.3 Officers acknowledge that the proposed contract should be competitively procured in accordance with section 4.1 of the GLA's Contracts and Funding Code (Code). However, section 5 of the Code also provides that exemptions from this requirement may be approved where there is a complete absence of competition. Here, an open market search was carried out and several venues were identified initially. However, all of these were discounted for various reasons except Lampton Park Conference Centre, Hounslow. Details of the alternative venues and reasons for discounting them are included at appendix 1.

2. Objectives and expected outcomes

- 2.1 The hire charge for Lampton Park Conference Centre is £27,000 for the period of the hire.
- 2.2 The cost is for a 'turnkey solution' for the venue, which means that additional features are included within the price. This comprises furniture, security and cleaning costs.
- 2.3 Contracts with a value of that proposed and in any event for the rental of existing buildings are not required by the Public Contracts Regulations 2015 to be tendered on a regulated pan-EU basis. However, an exemption from the Code is required to accord with the GLA's governance protocols.

3. Other considerations

a) Key risks and issues

The training of the e-counting staff from the constituencies is key to the successful delivery of the 2016 elections. Without training the staff will be unable to operate the equipment and so will not be able to deliver the results. In order for the training to take place a suitable venue is required that is on good transport links, has the required availability and is of a sufficient size to house all the training equipment, including the scanners and PCs required for a count.

As only one venue has been identified as meeting all the requirements it is important that we move quickly to secure a booking in this space. The venue acts as a commercial entity and so will possibly take alternative bookings to secure their income without a signed contract from the GLA.

b) Impact assessments and consultations.

Consultation has happened with both IntElect (the e-counting supplier) and constituency returning officers on the suitability of the venue for the training needs.

4. Equality comments

The venue is fully accessible to all visitors to the training sessions. The venue is of a sufficient size to ensure that this accessibility is maintained when the e-counting equipment and associated furniture is put in place.

5. Financial comments

In regards to this Decision and the £27,000 expenditure, there are sufficient available resources within the 2015/16 Elections budget to contain these costs. The £27,000 is to cover the hiring of the Hounslow Lampton Park Conference Centre (from 1 February to 18 March 2016) and the deposit required to confirm the booking. There will be further expenditure related to this training operation, including catering and delivery of the IT equipment but these will be subject to further approval via the Authority's decision-making process.

6. Legal comments

6.1 By section 29 Greater London Authority Act 1999 the Greater London Returning Officer ("GLRO") is the person appointed as the proper officer for the purposes of section 35(2C) Representation of the People Act 1983 ("RotPA") (returning officer at elections of Mayor and London members). The Mayor and Assembly have made the Head of Paid Service the GLRO as part of his terms and conditions of employment.

6.2 The GLRO is the returning officer for the Mayoral and London Member elections, and constituency returning officers are the returning officers for the election of a Constituency Member of the Assembly. The Authority must, under section 36(4B) of RotPA, pay for all expenditure properly incurred by a returning officer in relation to the holding of an Authority election, in so far as it does not, in cases where there is a scale fixed by the Authority, exceed that scale.

6.3 The Authority's Scheme of Delegation enables the GLRO to incur expenditure for the purposes of the preparation or conduct of any anticipated election as he considers necessary or expedient for that purpose. He is also able to authorise entry into contracts, licences or other instruments, in connection with an anticipated election in accordance with the Authority's Contracts and Funding Code and Financial Regulations.

6.4 Section 4.1 of the Authority's Contracts and Funding Code ("Code") requires that at competitive tenders be sought for supplies with values of the proposed contract value or that those supplies be "called off" from a framework accessible to the Authority. Section 5 of the Code provides however, that exemptions from that requirement maybe approved on a number of specified grounds including where there is a complete absence of competition for the supply in question. Officers have indicated at section 1.3 of this report that this is the case here, the proposed venue being the only one, following an open market search, that meets all of the Authority's criteria in this regard. The GLRO may therefore, approve the proposed exemption and award of contract if satisfied with the content of this report.

6.5 Officers must ensure that all necessary contract documentation is put in place and executed by the Authority and venue provider before the provision of the required supplies commences.

Appendices and supporting papers:

Appendix 1 – Venues Options Analysis (Part 2 CONFIDENTIAL)

Appendix 2 – Hounslow Hire proposal

Appendix 3 - Hounslow Venue dimensioned plan

Appendix 4 - Hounslow terms and conditions of hire

Public access to information

Although the GLRO is not subject to the Freedom of Information Act 2000 (FOI Act), the information in this form will be published on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it will be deferred until a specific date. Deferral periods will be kept to the shortest length strictly necessary.

Note: This form (Part 1) will either be published within one working day after approval or on the defer date.

Part 1 Deferral:**Is the publication of Part 1 of this approval to be deferred? NO**

If YES, for what reason:

Until what date: (a date is required if deferring)

Part 2 Confidentiality: Only the facts or advice whose publication may be prejudicial or commercially sensitive should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – YES

ORIGINATING OFFICER DECLARATION:	Drafting officer to confirm the following (✓)
Drafting officer: Simon Grinter has drafted this report in accordance with GLA procedures and confirms that the Finance and Legal teams have commented on this proposal as required, and this decision reflects their comments.	✓
The Deputy GLRO has reviewed the request and is satisfied that it is correct and can be referred to the GLRO for approval	✓

EXECUTIVE DIRECTOR, RESOURCES:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature

Date