

Environment Department

Islington Town Hall

Report of: Executive Member for Community Safety

Meeting of: Executive

Date: 9 February 2023

Ward(s): All

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## Subject: Procurement Strategy for Islington Patrolling Service

### 1. Synopsis

- 1.1. This report seeks pre-tender approval for the procurement strategy in respect of the Islington Patrolling Service contract.
- 1.2. This strategy is for the delivery of Council-wide patrolling services, across four separate but interconnected services, as follows:
  - 1) **Anti Social Behaviour Patrols (ASB Patrols):** A predominantly out of hours Patrol Service supporting the Council's Anti-Social Behaviour First Response Team, which is managed by Environmental Services
  - 2) **Cemetery Patrols:** A daytime Patrol Service covering the Council's three cemeteries, managed by the Islington and Camden Cemetery Service
  - 3) **Late Night Levy Patrols (LNL Patrols):** A Patrol Service which provides policing and medical support between midnight and 6am, which is managed by Environmental Health
  - 4) **Parks Patrols:** A daytime and out-of-hours Patrol Service covering all the parks and open spaces in the borough, which is managed by the Parks Service.

### 2. Recommendations

- 2.1. To approve the procurement strategy for the Islington Patrolling Service as outlined in this report.

- 2.2. To delegate authority to award the contract to the Corporate Director of Environment following consultation with the Corporate Director of Homes and Neighbourhoods and the Executive Member for Community Safety.

## 3. Background

### 3.1. Nature of the service

- 3.1.1. The Council is intending to procure a single supplier to deliver high quality patrolling services, as outlined in section 1.2 of this report.

The existing Patrolling Services contract was procured in 2017 in response to anti-social behaviour across Islington and at the cemeteries that the Council operates through Islington and Camden Cemetery services (ICCS). The core function of the service is to provide a visible and recognisable uniformed presence, to detect, deter, disrupt and eliminate anti-social behaviour, crime and disorder.

As a frontline service, the service is public-facing and highly-visible, promoting community safety and providing reassurance for the borough's residents, businesses and visitors by demonstrating that public safety is a high priority for the Council.

The service is both responsive and provides planned support, dealing with both one-off events and emergencies as the need arises, as well as providing support and assistance at public events in various roles. The service also acts as a professional witness, monitoring intelligence and data, as well as attending court when required.

In partnership with other agencies in the borough, such as the Metropolitan Police, Council services, and Camden and Islington NHS Foundation Trust, the service provides assistance identifying and supporting vulnerable people, including homeless people and those with mental and physical disabilities, carrying out welfare checks as required, and taking appropriate action where necessary.

The service has proved to be effective in addressing anti-social behaviour and is popular with residents. Satisfaction levels are high, with the service identifying 'hotspot' areas in the borough, gathering evidence and intelligence on individuals involved in anti-social behaviour, and taking appropriate steps to address these issues.

In the recent ASB review report, positive reference was made to Parkguard's work delivering the existing contract, highlighting that residents value the organisation's work and appreciate their presence in the borough.

- 3.1.2. Under the existing contract, there are five main teams working in the borough, each with a slightly different remit. The officers are accredited by the Metropolitan Police and have associated enforcement powers, as well as additional local authority delegated powers to issue fixed penalty notices for issues such as littering, dog fouling and street drinking. Further information on the teams is as follows:

**Anti-Social Behaviour Patrols:** this team works seven nights a week for a total of nine hours a night and responds to anti-social behaviour calls such as disruptive behaviour in open areas, issues with rough sleepers, gatherings of youths, issues due to drug taking etc. The team also carries out patrols in hotspot areas, generally on the borough's housing estates during times when there are no complaints to attend.

**Borough Patrol:** this team works seven nights a week for a total of nine hours a night and undertakes more intensive patrols in identified anti-social behaviour hotspot areas, gathering intelligence and issuing anti-social behaviour warnings under the Metropolitan Police Early Intervention Process, which is a partnership process providing early intervention and diversion around all forms of anti-social behaviour.

**Parks Patrols:** this team is overseen by Greenspace, and patrol the Council's parks and green spaces, as well as providing a response to any complaints that come in regarding these locations. They work primarily during the day, up until approximately 10pm, and are on duty seven days a week.

**Late Night Levy Patrols:** this team is funded by businesses who are subject to the borough's Late Night Levy charge and therefore provide a response to licensees who are experiencing issues with customers and patrol areas where there are known issues with licensed premises, in order to provide general support. The team also contains a medic, who is able to provide immediate first aid to those who may need it. The team works four nights a week, generally Thursday to Sunday, between the hours of around 8pm to 6am.

**Cemetery Patrols:** this team is overseen by ICCS and patrols three locations: Islington and St Pancras Cemeteries and Crematorium; Hampstead Cemetery; and Trent Park Cemetery. Patrolling services are provided seven days a week between the hours of 10am-6pm, while a static presence is provided at Islington and St Pancras Cemetery seven days a week between the hours of 9am-5pm.

- 3.1.3. The initial four-year contract was awarded to Parkguard Limited. The contract commenced on the 10 July 2017 and ran for an initial period of 48 months, ending on 9 July 2021. Clause 3.1 of the contract allowed for an extension for up to 48 months from the end of the initial period, and a 24-month extension was agreed from 10 July 2021 until 9 July 2023.

Extending for a further 24-month period is not an option because spend limits have met advertised thresholds.

In order to ensure there is continuity in delivering the Patrolling Services contract upon its expiry on 9 July 2023, the service is seeking to renew the contract.

- 3.1.4. Officers have undertaken an extensive options appraisal, market review and have consulted with service stakeholders and the existing service provider in order to identify the most appropriate procurement route.

### 3.2. Estimated Value

- 3.2.1. This contract will be funded using an existing budget for Patrolling Services. The approach is collaborative, working across services to ensure value for money is delivered. The spend on the existing contract is financed by the following means:
- Core budget
  - HRA
  - The Late-Night Levy charge to licensed premises in the borough that operate after midnight
  - Cemeteries income and a ringfenced budget from Islington and Camden Cemetery Services (ICCS)
  - Housing associations that reimburse the Council for the costs of patrols undertaken on their estates

Existing spend by each service area in 2021/2022 is as follows:

Anti-Social Behaviour Patrols	£434,737
Parks Patrols	£384,611
Cemeteries	£264,475
Late-Night Levy	£208,059
Housing	£129,628
Ad-hoc patrols for other services	£17,218

- 3.2.2. During the contract term, officers will undertake a review of further services relating to anti-social behaviour outside of this procurement strategy that could potentially be outsourced in order to deliver efficiency savings. Any further services will require appropriate consultation to be observed and should those services exceed the key decision threshold for revenue spend a subsequent key decision procurement strategy will require approval. The successful contractor will be required to evidence in their Invitation to Tender (ITT) application that they have both the capacity and the processes in place to take on any additional responsibilities as required by the Council.
- 3.2.3. The bulk of the contract's spend is on staffing and administration. The service provider is required to be approved under the Association of Chief Police Officers Community Safety Accreditation Scheme, as well as accredited by the Metropolitan Police to provide uniformed officers, with delegated enforcement powers. All staff must be Security Industry Authority (SIA) licenced. Some aspects of the service require specialist skills or responsibilities, such as dog handling. As a result, staff are remunerated according to the required skills and accreditation. The contract specification will provide detailed information as to minimum staffing requirements and out-of-hours cover for the contract.
- 3.2.4. The total contract value is £15,790,000 which represents an average cost forecast of £1,973,750 per annum based on an initial contract term of 48 months plus an additional two optional 24-month extensions at the sole discretion of the Council. The maximum term should all extensions be taken will be 96 months. Current Contract spend based on the last financial year for existing Patrolling Services contract is £1,440,000 per annum. The estimated increase is due to prices being

fixed on the existing contract for the last six years. The service anticipates spend will increase significantly within the first year of the contract due to inflationary pressures applied to historical low rates and will further increase by 2% per annum for the subsequent 84 months of the contract term.

Due to inflationary pressures, it is anticipated that the new contract will increase by c.£0.53m to around £1.97m (37% increase). Officers are working to identify efficiency and cost savings as part of the procurement process, and will also be working with the successful contractor as part of the mobilisation process and throughout the life of the contract to build savings into the contract's delivery. Any increase in cost not covered by delivering the contract more efficiently would need to be met from the corporate contract inflation reserve for the core budget element, increased recharges to internal clients and increased charges to external organisations at current activity levels.

3.2.5. The contract value for the current contract of 48 months plus 48-month extension was £7.2m and was based on an annual estimated spend of £900K. However, annual spend on the contract has increased year on year. In 2020/21 annual spend was approximately £1.38m, and approximately £1.44m in 2021/22. Whilst some of this additional expenditure in 2020/21 was due to the deployment of extra staff to contribute to the borough's Covid-19 response, there have also been increases in the following areas:

- In April 2020 an additional seven night a week Anti-Social Behaviour patrolling team was brought in, following a successful funding growth bid. The team patrol identified anti-social behaviour hotspot areas in the borough, to reassure residents in these areas, gather evidence and intelligence on individuals involved in anti-social behaviour, and intervene at the time where issues are found. The additional team was needed due to year-on-year increases in the number of reports made to the Anti-Social Behaviour Reporting Line regarding area-based anti-social behaviour issues, which had resulted in the existing teams being unable to spend prolonged periods of time in particular areas. The information obtained by this new team (along with the others) feeds into information arrangements that are in place and has directly contributed to a swifter resolution of anti-social behaviour issues, helping to prevent them from becoming entrenched within an area, and has therefore reduce the associated complaints and resident dissatisfaction. The work of this team has contributed to multiple successful outcomes in hotspot areas, and customer surveys demonstrate that 88% of residents from these areas that were surveyed confirmed that they were happy with the Council's response to their report, 67% confirming that they have noticed a reduction in anti-social behaviour and crime in their area since they initially reported, and 63% confirming that they feel safer in their area since they made their report;
- Additional supervision was needed in parks in the warmer months (particularly on Highbury Fields) due to an increase in the use of barbecues and the associated impact on local residents;
- Homes and Neighbourhoods have used Parkguard officers to patrol some of their estates which have been subjected to anti-social behaviour issues. The evidence obtained from some of these patrols was instrumental in the

successful applications for several closure orders. This spend on this was in excess of £129K in 2021/22.

- An additional two extra security guards are now being used from Monday to Friday between the hours of 9am-5pm to work flexibly between Trent Park, Hampstead and East Finchley Cemeteries to tackle issues such as illegal parking, anti-social behaviour by dog walkers, crime prevention and to provide a reassuring presence

3.2.6. The spend on this service for the last two years was £2.82m.

3.2.7. The impact of a percentage reduction in budget would be a reduction in number of hours of cover for the following functions:

- Staff to man the gates and patrol cemeteries
- Staff to lock and unlock cemeteries and parks
- Staff to respond and patrol in relation to anti-social behaviour issues in the borough
- A response to out of hours alarm activations at certain locations
- Staff to support those licensees who pay a Late Night Levy for this service
- Staff to provide additional support to the police
- A medical officer on the borough to provide prompt medical assistance (primarily in relation to issues associated with licensed premises, but they also deal with other medical issues they come across in the course of their patrols)
- Staff to provide a reassuring presence and a deterrent to crimes and anti-social behaviour occurring.

Across all areas this would result in an increase in anti-social behaviour, crime, and complaints. This may also result in increases in the number of weapons in the borough due to decreases in the number of weapons sweeps conducted, reductions in the number of individuals identified as needing support services (such as rough sleepers), and reduction in enforcement actions taken to address anti-social behaviour.

3.2.8. Officers have considered ways of reducing costs and spend as part of the options appraisal for this procurement. Officers will work with the successful contractor to identify opportunities for efficiency and cost savings as part of the contract's delivery, without compromising on the quality of overall service delivery. In order to outline more tangible costs savings and to provide a rationale for more efficient targeting of resources, the renewed contract will ensure data collection and reporting is a more integral part of the contract's delivery, identifying ways in which the contract has delivered, as well as providing robust data with which to evidence business decisions.

3.2.9. Opportunities for efficiency improvements and cost savings will be embedded in the contract's specification. Robust contract management processes will ensure the successful contractor, the contract manager and any other relevant parties, will meet regularly to discuss more responsive initiatives that will reduce anti-social behaviour, manage resources – scaling back where necessary and practical –

while drawing on local and national best practice, including the outcomes of the ASB Review, to improve the service overall. Clear KPIs and service standards will be agreed during the mobilisation process, with tangible outcomes, milestones and review dates identified, in order to more clearly demonstrate the contract's impact. Greater use will be made of resident panels and other forms of consultation, both to inform service changes and target resources and spend, as well as to improve the contract's visibility, strengthening the Council's reputation.

### 3.3. **Timetable**

3.3.1. Having been extended for a further 24-month period following the expiration of the initial period of 48 months on 9 July 2021, the existing contract will end on 9 July 2023.

3.3.2. Based on a contract start date of 10 July 2023, the service's timetable for renewing the contract is as follows:

- Advert: Mid-February 2023
- Deadline for ITT submissions: Mid-March 2023
- Evaluation: Early-April 2023
- Award: Mid-April 2023

3.3.3. In order to ensure the contract's specification accurately reflects any changes in requirements, consultation has taken place with service leads from Parks and Green Spaces, Islington and Camden Cemetery Services (ICCS), Public Protection, Housing, and Community Safety, with regard to the contract specification to make sure it accurately reflects what needs to be provided under the contract.

### 3.4. **Options Appraisal**

3.4.1. As part of this procurement, four options were considered:

- Do nothing
- Deliver the service in-house
- Use of an external framework
- A competitive procurement process solely for Islington

In view of the nature of the service, doing nothing is not an option. The service has a clear and tangible impact on reducing anti-social behaviour in the borough, which has additional impacts on spend, as well as the Council's reputation, given the popularity of the service with residents. Doing nothing risks an increase in anti-social behaviour across the borough and as a result is not an option.

While there is scope to deliver the service in-house, this option would require considerable lead-in time with potential TUPE implications and a likely increase in the cost of delivering the service. Bringing the service in-house would be an extensive undertaking and would require a significant investment of funding and officer time. Due to the levels of training required, the specialist nature of the work involved, and the types of accreditation required, as well as the time commitment

that would be needed from existing staff resources, it is not deemed feasible to bring the service in-house at this time. An external provider, particularly one with experience delivering services for multiple organisations, would have access to resources, staff and expertise that the Council does not. It would be prohibitively costly to train specialist operatives and resource the contract in the timescale available to the council at this time.

Using an external framework would be a quicker route to market, however, none of the external frameworks explored offered a suitable solution. While an existing external framework offered by the London Borough of Ealing addressed some of the Council's specific requirements, it was evident that the Late-Night Levy Patrols would not be included in this framework. Discussions with Ealing suggest this could be addressed when this framework is renewed in November 2024, however, this would require additional resources and spend in order to ensure the Council's existing needs are met in the interim.

3.4.2. The proposed option is to procure through a competitive tender. This would be the quickest route to market that meets all of the Council's requirements. It is envisaged there will be reasonable market interest due to the contract value and the nature of the work involved, including from the incumbent service provider. This process allows the pricing, specification and terms and conditions to be specifically tailored to meet the Council's needs and can deliver the best value overall whilst meeting the service needs. The Council intends to appoint one contractor for the whole contract to ensure continuity of service delivery, using the open procedure.

3.4.3. The service intends to run the contract for 48 months plus an additional two optional 24-month extensions, employing a 4+2+2 approach. This approach ensures the contract meets its requirements for delegated enforcement powers, and in order that the service has the option of breaks to refresh and re-evaluate the contract, given market conditions and inability to commit to an immediate long-term agreement.

### 3.5. **Key Considerations**

3.5.1. While the purpose of the service itself delivers considerable social value benefits to the borough and its residents, delivering social value to Islington residents will be a contractual obligation for the successful contractor. A clear set of rigorous social value measures and targets will be included in the contract specification and social value proposals made within the tender submission will form an important element of the quality evaluation, which will be a minimum of 20% of the quality element of the tender process. Performance in relation to social value will be monitored at regular contract meetings and will be a consideration in any decision to award a contract extension.

3.5.2. London Living Wage will be included as a condition of the contract. The successful contractor will need to ensure that the staff they employ have clear and fair Terms and Conditions of employment, access to Trade Unions and training opportunities. The contract's specification will ensure the successful contractor is



prohibited from recruiting any staff – both operational and administrative – on a zero hours contract.

- 3.5.3. As a predominantly responsive service, delivering best value will be a priority in the delivery of the contract. Throughout the term of the renewed contract, officers will undertake both regular and frequent contract reviews, and informal discussion, with the successful bidder in order to ensure that any potential for efficiency or for more targeted use of resources based on resident feedback, Council priorities and any relevant developments in the borough, will be an integral part of the contract's delivery.
- 3.5.4. Economic, social and environmental sustainability will be considered as part of the quality element of the tender submission. The successful bidder will be required to outline in their tender submission not only the ways in which they will deliver economic, social and environmental sustainability as part of the contract's delivery, but also to make specific and measurable commitments to these areas in the form of proposals that will be delivered by the contractor during the life of the contract. This might include a commitment to recruiting locally, utilising the Council's iwork service, offering apprenticeships, delivering specific initiatives in the borough, or identifying ways in which both the contract and the contractor's business can be delivered in a more sustainable way.
- 3.5.5. The contract's specification will ensure the successful provider will make commitments to supporting Islington's local labour market. While it is apparent that local residents will have useful local knowledge, both on the geography of the borough and the demographics of the area, due to the nature of the contract and its anti-social behaviour enforcement responsibilities, there are concerns that local residents may not be suitable for certain operational roles, however, steps will be taken to ensure reciprocal local arrangements are in place that would support employment of Islington residents either in non-operational roles, or in neighbouring areas where the successful provider is also delivering services, wherever possible and appropriate, in order to support the local economy.
- 3.5.6. As part of both the Anti-Social Behaviour Review and based on operational data collected during the delivery of the existing contract, greater proactive and preventative measures will be built into the renewed contract. This will include early intervention activities intended to proactively reduce anti-social behaviour, as opposed to an emphasis on response. Such activities might include operational activity, such as identifying 'hotspots' that require more intensive patrolling, to more formal community engagement initiatives, such as coaching or supporting apprenticeships in the borough, with the aim of reducing or preventing anti-social behaviour before it happens. These requirements will be built into the contract's specification; however, the successful contractor will also be required to outline specific actions they will take as part of the Social Value element of the tender evaluation, which will be monitored and reviewed during the lifetime of the contract. This approach will deliver more tangible Social Value results, as well as improving Value for Money by ensuring resources are better-targeted and initiatives are in place to proactively and pre-emptively reduce anti-social behaviour.

3.5.7. The existing contract works collaboratively with partner organisations to identify and support vulnerable people and provide signposting and referral services. The renewed contract will ensure 'Making Every Contact Count' is embedded in the contract to strengthen this support element, while also identifying opportunities to ensure operatives consider non-enforcement approaches to addressing anti-social behaviour issues. The renewed contract will also require operatives are briefed on initiatives such as 'Ask for Angela' in order to ensure that the contract has a broad impact on wellbeing in the borough, strengthening its collaborative approach.

### 3.6. **Evaluation**

The tender will be conducted in one stage, known as the open procedure, as the tender is 'open' to all organisations who express an interest. The open procedure includes minimum requirements which organisations must meet before the rest of their tender is evaluated.

The contract will be awarded to the Most Economically Advantageous Tender (MEAT) and the award criteria will be set at 70% quality and 30% cost. The current market is volatile and the cost and quality split will ensure the Council appoints a contractor that can deliver a high level of service at a sustainable price, achieving the best value overall.

The quality criteria will consist of:

- Proposed approach to Social Value and promoting economic, social and environmental sustainability (20%)
- Proposed approach to customer service and diversity (10%)
- Proposed approach to varying work volumes and priorities (10%)
- Proposed approach to health and safety (10%)
- Proposed approach to quality management (10%)
- Proposed approach to mobilisation, resourcing and service delivery (10%)

The successful tenderer will be required to make specific and measurable commitments to Social Value objectives as a percentage of the contract's value during the life of the contract. These commitments might include local recruitment, spend on community initiatives or providing support for residents, such as an apprenticeship scheme or a programme to improve community involvement in initiatives intended to reduce anti-social behaviour. These commitments will be legally-binding, embedded in the contract and progress reviewed by the contract manager.

### 3.7. **Business Risks**

3.7.1. The service has clear and measurable impacts on many of the Council's priorities and corporate objectives, most notably 'Cleaner, greener, healthier borough' and 'Stand with our communities so they are safe, connected and inclusive'. The service is popular with residents and, as such, any break in the continuity of the service will have an impact on the Council – particularly with regard to the Council's reputation.

While there is interest from the incumbent service provider and market review suggests there will be interest from other service providers, growing economic uncertainty and the impact of inflation presents a risk that no suitable service provider will be identified, whether as a result of no suitable provider tendering, or no provider being successful in the tender process.

There is also a risk that owing to economic uncertainty and increases in the cost of delivering the service during the life of the contract, that the successful tenderer will pull out of the contract after it has been mobilised.

In each case, officers will consider emergency interim measures and seek to re-procure the contract.

Risk	Likelihood	Impact	Priority	Mitigation
Procurement is unsuccessful with no suitable supplier tendering or being identified	Medium	High	High	Interim emergency measures will be sought and plans to re-procure put in place
The successful tenderer pulls out of the contract prior to start of the contract	Medium	High	High	Interim emergency measures will be sought and plans to re-procure put in place
Delays to the procurement process result in limited mobilisation time for new supplier	High	High	High	A project plan is in place and the Project Team will ensure agreed key milestones are met.
The successful tenderer pulls out of the contract during the life of the contract	Medium	High	Medium	Interim emergency measures will be sought and plans to re-procure put in place

3.7.2. The Council has a duty of care to its residents under section 149 of the Equality Act 2010, the Public Sector Equality Duty. Failure to carry out this responsibility as an integral part of this contract's delivery would result in the Council not complying with this regulation, which could lead to legal action and reputational damage. In order to mitigate this risk, the tender process requires bidders to specifically outline their approach to diversity.

3.8. The Employment Relations Act 1999 (Blacklist) Regulations 2010 explicitly prohibit the compilation, use, sale or supply of blacklists containing details of trade union members and their activities. Following a motion to full Council on 26 March 2013, all tenderers will be required to complete an anti-blacklisting declaration. Where an organisation is unable to declare that they have never blacklisted, they will be required to evidence that they have 'self-cleansed'. The Council will not award a contract to organisations found guilty of blacklisting unless they have demonstrated 'self-cleansing' and taken adequate measures to remedy past actions and prevent re-occurrences.

3.9. The following relevant information is required to be specifically approved in accordance with rule 2.8 of the Procurement Rules:

Relevant information	Information/section in report
1. Nature of the service	<p>The service delivers borough-wide patrolling services in the specific areas of anti-social behaviour, cemetery patrols, Late-Night Levy patrols and parks patrols.</p> <p>See paragraph 1.2</p>
2. Estimated value	<p>The estimated value per year is £1,973,750. The agreement is proposed to run for a period of 48 months plus an additional two optional 24-month extensions (4+2+2).</p> <p>See paragraph 3.2</p>
3. Timetable	<ul style="list-style-type: none"> <li>• Advert: Mid-February 2023</li> <li>• Evaluation: Early-April 2023</li> <li>• Award: Mid-April 2023</li> </ul> <p>See paragraph 3.3</p>
4. Options appraisal for tender procedure including consideration of collaboration opportunities	<p>The proposed option is to procure through a competitive tender using the open procedure. This would be the quickest route to market that meets all of the Council's requirements.</p> <p>See paragraph 3.4</p>
<p>5. Consideration of:</p> <ul style="list-style-type: none"> <li>• Social benefit clauses;</li> <li>• London Living Wage;</li> <li>• Best value;</li> <li>• TUPE, pensions and other staffing implications</li> </ul>	<p>The service has clear impacts on social value and these will be embedded in the quality element of the tender process. LLW will be a requirement of the successful service provider. Best value will be achieved via regular contract review meetings.</p> <p>See paragraph 3.5</p>
6. Award criteria	<p>The contract will be awarded to the Most Economically Advantageous Tender (MEAT) and the award criteria will be set at 70% quality and 30% cost.</p> <p>See paragraph 3.6</p>
7. Any business risks associated with entering the contract	<p>Owing to economic uncertainty, risks have been identified both in terms of a suitable service provider not being identified, as well as risk that the successful service provider will pull out of the contract during its life.</p> <p>See paragraph 3.7</p>

8. Any other relevant financial, legal or other considerations.	See paragraph 3.8
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## 4. Implications

### 4.1. Financial Implications

- 4.1.1. The current annual cost of the patrolling service is around £1.44m with a total value of up to £15.79m over the maximum contract length of 8 years. The current contract is funded by multiple sources:

Area	Current Cost	New Contract Estimate	Additional Cost
Council Core Budget – ASB	£435,000	£595,000	£160,000
Council Core Budget – Parks Patrol	£385,000	£525,000	£140,000
Ring-fenced Cemeteries	£265,000	£365,000	£100,000
Late Night Levy	£210,000	£285,000	£75,000
Housing Revenue Account	£130,000	£180,000	£50,000
External Clients	£15,000	£20,000	£5,000
<b>Total</b>	<b>£1,440,000</b>	<b>£1,970,000</b>	<b>£530,000</b>

- 4.1.2. Due to inflationary pressures it is anticipated that the new contract will increase by c.£0.53m to around £1.97m (37% increase). This increase in cost would need to be met from the corporate contract inflation reserve for the core budget element, increased recharges to internal clients and increased charges to external organisations at current activity levels.

### 4.2. Legal Implications

- 4.2.1. The Council has various powers and duties under the Anti-Social Behaviour, Crime and Policing Act 2014 to tackle anti-social behaviour within the borough. In discharging these functions the Council has powers to conduct patrolling services under section 111 of the Local Government Act 1972 which enables the Council to carry out any activity that is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. The Council may enter into contracts for such services under section 1 of the Local Government (Contracts) Act 1997. The Executive may provide Corporate Directors with responsibility to award contracts with a value over £2,000,000.00 (Procurement Rule 18.1.3).
- 4.2.2. The proposed contract is a contract for services. The threshold for application of the Public Contracts Regulations 2015 (the Regulations) is currently £213,477.00 for

services contracts. The value of the proposed contract is above this threshold. It will therefore need to be advertised on the Find a Tender Service (FTS) and Contracts Finder. The Council's Procurement Rules also require contracts of this value to be subject to competitive tender. The proposed procurement strategy, to advertise a call for competition and procure the service using a competitive tender process, would be in compliance with the Regulations and the Council's Procurement Rules.

4.2.3. On completion of the procurement process the contract may be awarded to the highest scoring tenderer subject to the tender providing value for money for the Council.

#### 4.3. **Environmental Implications and contribution to achieving a net zero carbon Islington by 2030**

4.3.1. The Patrolling Services contract has the potential to have an overall positive impact on the borough. This would be in terms of the logistics of the contract, such as a commitment to making use of sustainable forms of transport, which might include electric or low-emission vehicles, and a commitment to more sustainable working practices, such as a commitment to improving energy use in offices. However, the greatest impact will be via the contract's delivery: a core function of the contract is to detect, deter, disrupt and eliminate anti-social behaviour, which includes identifying and responding to fly-tipping, graffiti, and other forms of environmental damage. The service provider is also authorised to enforce animal fouling, idling of vehicle engines, and pollution of water and the land, and has previously identified use of and disposal of barbecues in parks as an anti-social behaviour enforcement issue.

4.3.2. The successful contractor will be required to identify specific and measurable commitments to environmental issues that they will commit to delivering as part of the tender process, while information will be collected as part of the contract's delivery in order to identify trends in how the service can continue to have a positive impact on the environment. The contract manager will work with the service provider to ensure any Council objectives relating to the environment will be communicated to the contractor and embedded in the contract's delivery.

#### 4.4. **Equalities Impact Assessment**

4.4.1. The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.

4.4.2. An Equalities Impact Assessment was completed on 24 October 2022. The main findings are that while the service itself is generic in its aims and the functions it carries out are neutral, it is clear that the delivery of the contract must take account of both the protected equality characteristics, as well as the needs of vulnerable people, to ensure the service is delivered in a fair manner, ensuring that

opportunities are taken to reduce incidences of anti-social behaviour as well as reduction in the fear of anti-social behaviour. This will be achieved by ensuring that the successful tenderer demonstrates in their tender application that they have experience meeting the needs of diverse groups while delivering contracts of a similar nature, as well as making commitments to effective training for their staff and aligning their own equality approach with that of the Council. The successful bidder will also be required to record and collate relevant equality information and data in order to target resources more effectively, with robust evidence to support any key decisions or changes to service delivery, as well as to ensure staff are aware of the borough's demographics – whether through robust data or access to training – in order that they are aware of and take account of any sensitivities that might arise during the contract's delivery. The full Equalities Impact Assessment is appended.

## 5. Conclusion and reasons for recommendations

- 5.1. The current Patrolling Services contract is due to end, following a 24-month extension, on 9 July 2023. The service has a clear and tangible impact on the Council's community safety objectives and has a high level of resident satisfaction. It is for this reason that the recommendation is made that the contract be renewed and, as such, pre-tender approval is sought for the procurement strategy in respect of the service in accordance with Rule 2.8 of the Council's Procurement Rules.
- 5.2. A number of options were considered as part of an options appraisal. Based on an assessment of these options, as well as a market review, it is recommended that the service is procured through a competitive tender. This is the only approach that meets all of the Council's specific requirements. This process allows the pricing, specification and terms and conditions to be specifically tailored to meet the Council's needs and can deliver the best value overall whilst meeting the service needs.
- 5.3. The Council intends to appoint one contractor for the whole contract to ensure continuity of service delivery, using the open procedure and awarding the contract to the Most Economically Advantageous Tender (MEAT). The award criteria will be set at 70% quality and 30% cost, embedding Social Value as part of the quality element of the tender process.

### Appendices:

- Equalities Impact Assessment: Patrolling Services EQIA – October 2022

### Final report clearance:

Authorised by: Executive Member for Community Safety

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