ABSTRACT: This report informs Members of the need to put in place a contract for providing community mediation services as required by Angus Council’s Antisocial Behaviour Policy and the Scottish Government as part of the Promoting Positive Outcomes: Working Together to Prevent Antisocial Behaviour in Scotland programme.

1. RECOMMENDATION(S)

1.1 It is recommended that the Committee:-

(i) authorise the Head of Housing to procure Community Mediation services for the Housing Division on the basis set out in this report;

(ii) homologates the publishing of the contract notice on the Public Contracts Scotland portal as set out in this report.

2. BACKGROUND

2.1 The local Community Housing Teams and the Community Safety Team, within the Housing Division, have responsibility for the investigation of antisocial behaviour in Angus. Community Mediation is one of a range of measures provided by Angus Council and its partners in tackling antisocial behaviour and/or settling neighbour disputes. Mediation assists parties involved to reach an agreed solution to the problem without the need for further enforcement measures.

2.2 Since 2004, Community Mediation in Angus has been delivered by SACRO, initially through funding provided by the then Scottish Executive, to tackle antisocial behaviour and latterly through the budget of the Community Safety Team.

2.3 The service is available to all residents of Angus, who can be referred through any Angus Council Department or planning partner, Tayside Police or who can refer themselves to the service directly.

2.4 The service enables service users to resolve neighbour disputes, thereby improving the quality of life for people affected by antisocial behaviour in Angus.

2.5 The current Service Level Agreement with SACRO expires on 31 March 2012. This Service Level Agreement was approved by Neighbourhood Services Committee on 18 August 2011 (Report No. 505/11). To ensure Best Value and adhere with financial regulations, Committee approval is sought to allow a competitive tendering process for future provision of community mediation to take place.

3. PROCUREMENT AUTHORITY

3.1 Sourcing Strategy

The Head of Housing considers that the provision of an independent Community Mediation Service is essential if Angus Council is to provide complete and thorough antisocial behaviour investigations.

3.1.1 This procurement is not considered to be a “major procurement” in terms of Financial Regulation 16.8.4. Approval of this report would mean that the contract can be accepted without the need for further approval by the Committee. In accordance with the new arrangements, the contract award will be reported to the Neighbourhood Services Committee for noting only.
3.1.2 No national Procurement Scotland or Scotland Excel contracts currently exist to meet this requirement. As such, Angus Council will require sourcing a supplier directly. A competitive tender approach to the procurement is, therefore, considered to be likely to deliver best value to the Council for this requirement.

3.1.3 Due to the geographic nature of this requirement, this contract was not deemed a suitable contract for collaboration through Tayside Procurement Consortium. The contract will be reported to Tayside Procurement Consortium and should any suitable opportunities arise in the future for collaborative procurement of the Council’s requirement for the provision of the required supply become available through Tayside Procurement Consortium, these will be given consideration.

3.2 Key Terms Proposed

3.2.1 To allow for the continuous provision of a Mediation Service within Angus, the contract will start on 1 April 2012 for a one year period with ongoing review.

3.2.2 The value of the tender is estimated at £40,000 per annum, based on the expected number of referrals to the service and the current cost of provision through SACRO. It is expected that funding for this aspect will diminish in the next three years, in line with the programme of planned savings for Community Safety.

3.3 Procurement Procedure

3.3.1 It is considered that an open tender single stage process would be the best means of procuring the required supply. The process will not restrict the potential number of bidders and will allow the broadest possible selection of tenders to be received, resulting in best value for the Council.

3.3.2 The value of the tender is estimated at £40,000 per annum for one year, therefore, the whole life expectancy of the contract is below the threshold value of £157,000. The contract opportunity has, therefore, been openly advertised on the Public Contracts Scotland portal in accordance with Council policy and as a further means of securing good competition, again to deliver best value for money.

3.3.3 Due to time constraints, the notice has exceptionally been published on the Portal in advance of the Committee decision to allow the requisite procurement timetable to be met and to achieve the contract award being made by 1 April 2012. Publication on the Portal has not, however, committed the Council to following through this procurement process and it remains the decision of this Committee whether to approve this or otherwise.

3.4 Contract Evaluation on Award Basis

3.4.1 Completed tenders returned to the Council shall be evaluated and the contract will be awarded on the basis of the most economically advantageous tender, or a mix of quality and price. The price/quality split will be 70/30% in accordance with Financial Regulation 16.14.2.

3.4.2 The broad evaluation criteria and weightings will be:

- Price - 70%
- Quality - 30%

The quality evaluation will be based on a proven mix of:

- Previous experience delivering a similar service; 10%
- Project Plan to achieve aims, objectives and outcomes, detailing delivery capacity; 10%
- Resources allocated to contract, including location of office premises and business hours; 10%

Total 30%

3.4.3 The Council’s Corporate Procurement Team has been consulted and assisted with the proposed procurement process and outline requirement and are satisfied that this approach is suitable and likely to produce the best value for the council.
3.5 **Procurement Risks**

A risk assessment has been undertaken for this tender and no significant risks have been identified.

4. **RISKS**

4.1 The risks associated with the recommendations are outlined within section 3, paragraph 3.5 of this report.

5. **FINANCIAL IMPLICATIONS**

5.1 The budget for the provision of Mediation Services in financial year 2011/12 is £54,000 within the revenue budget of the Community Safety Team, under the Housing Division. As noted above, the contract for 2012/13 is estimated to cost £40,000 and can, therefore, be contained within the current budget provision. The anticipated saving from the 2012/13 contract will be considered as part of the 2012/13 revenue budget setting process and forms part of a planned programme of Community Safety savings as noted at 3.2.2 above.

6. **HUMAN RIGHTS IMPLICATIONS**

6.1 There are no human rights implications specific to this report.

7. **EQUALITIES IMPLICATIONS**

7.1 The issues dealt with in this report have been the subject of consideration from an equalities perspective. An equalities impact assessment is not required.

8. **ANGUS COMMUNITY PLAN AND SINGLE OUTCOME AGREEMENT**

8.1 This report contributes to the following local outcome(s) contained within the Angus Community Plan and Single Outcome Agreement 2011-2014:

- Our communities are safe, secure and vibrant.

9. **CONSULTATION**

9.1 The Chief Executive, Director of Neighbourhood Services, Head of Finance and Head of Law and Administration have been consulted in the preparation of this report.

10. **CONCLUSION**

10.1 The provision of a Community mediation service is vital to the effective investigation and resolution of antisocial behaviour complaints. Access to an independent mediation service in Angus is agreed in the Angus Council Antisocial Behaviour Policy and supported by the Scottish Government under the Safer Communities programme and their Promoting Positive Outcomes agenda.

**RON ASHTON**
**DIRECTOR OF NEIGHBOURHOOD SERVICES**

**NOTE:** The background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report are:

- Report No. 505/11 – “Service Level Agreement – Angus Community Mediation”

Hsg/NS/AMcK/ID