

**Community Right To Challenge  
Report by the Procurement Manager**

**1. INTRODUCTION**

- 1.1 The Localism Act 2011 introduced a right for defined organisations and persons to submit an Expression of Interest in taking over the provision of a service on behalf of the Council. Where a valid expression of interest is received, the Council is required to undertake a procurement exercise for that service, which may lead to the Council awarding a contract for the provision of that service.
- 1.2 A report to Cabinet on 18<sup>th</sup> October recommended the arrangements which the Council should adopt in order to operate the new Community Right to Challenge and required the production of a timetable for the acceptance of expressions of interest. This report details that timetable (attached at Annex A) and explains its development.

**2. TIMETABLE**

- 2.1 Valid expressions of interest would generate significant workload in both the procurement exercise (which in most cases would be sufficiently large as to require a formal EU procurement process) and the preparation of an in-house bid submission. The regulations allow us to spread the potential workload by publishing a timetable whereby Community proposals would not be accepted at other times.
- 2.2 A timetable has been developed in consultation with Heads of Service, which considered:
- ◆ A logical grouping of activities to fit with the structure of the Service.
  - ◆ The number of staff likely to be affected by TUPE.
  - ◆ The current cost which determine which procurement thresholds apply.
  - ◆ Major contracts where complexity/dependencies would impact on the procurement exercise.
  - ◆ Potential organisational restructuring.

**3. RECOMMENDATIONS:**

It is RECOMMENDED that Cabinet note the content of this report and the

timetable attached as Annex A.

## **BACKGROUND PAPERS**

- ◆ Sections 81 - 86 of the Localism Act 2011  
<http://www.legislation.gov.uk/ukpga/2011/20/part/5/chapter/2/enacted>
- ◆ The Community Right to Challenge (Expressions of Interest and Excluded Services) (England) Regulations 2012 [SI 2012 No. 1313]  
<http://www.legislation.gov.uk/uksi/2012/1313/made>
- ◆ The Community Right to Challenge (Fire Services and Rejection of Expressions of Interest) (England) Regulations 2012 [SI 2012 No. 1647 - DCLG Statutory Guidance  
<https://www.gov.uk/government/publications/community-right-to-challenge-statutory-guidance>

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## Community Right to Challenge – Timetable

### Notes:

- (1) Expressions of Interest may be submitted at any point during the calendar month.
- (2) Except where the relevant body is permitted additional time in accordance with the Act the procurement exercise will start within a month after the acceptance of a valid expression of interest.

Month/ Year	Service	Section	Activity
	Service Management Division	Operations & Development	Work operations & development.
Jul 13	Corporate Office		Communications, policy & support, economic development & industrial estates.
	Financial Services	Accountancy	Accountancy & income
Sep 13	Environmental Management	Environmental Team	Energy efficiency projects
Oct 13	Legal & Democratic Services	Democratic Services & Scrutiny	Elections / Committee support
Nov 13	Customer Services	Customer Service Centre	Front of house.
Jan 14	Environmental and Community Health Services	Community Health	Animal welfare & pest control team
Mar 14	Operations Division	Operations	Vehicle workshop
May 14	Customer Services	Fraud Team	Fraud Investigation
Jul 14	Legal & Democratic Services	Elections & Land charges	
Sep 14	Legal & Democratic Services	Legal Services	Legal Support
Oct 14	Environment, Growth & Planning	Housing Strategy	Housing Strategy
Dec 14	Environmental Management	Facilities	Facilities, janitorial, caretakers
Feb 15	Operations Division	Countryside	Countryside parks
Apr 15	Operations Division	CCTV	CCTV
May 15	Environmental & Community Health Services	Community Safety	Community Safety

<b>Month/ Year</b>	<b>Service</b>	<b>Section</b>	<b>Activity</b>
Sep 15	Environmental Management	Projects	Projects & Asset Management
Nov 15	Customer Services	Benefits	Benefits administration
Dec 15	One Leisure	5 Leisure centres	Operation of Leisure centres
Jan 16	Legal & Democratic Services	Document Centre	Print & design; post handling
Mar 16	Operations Division	Green Spaces	Green spaces
Apr 16	Environmental & Community Health Services	Commercial	'Food Safety' & 'Health and Safety' enforcement
May 16	Environment, Growth & Planning Services	Planning Dev Man	Development Management
Jul 16	Customer Services	Local Tax	Council Tax, NNDR, Recovery
Sep 16	One Leisure	Call centre	Customer Bookings & services
Oct 16	Operations Division	Operations	Refuse & Recycling
Nov 16	Environment Management	Building Control	Building Control
Jan 17	Operations Division	Street-scene	Street Rangers
Feb 17	Environmental & Community Health Services	Neighbourhoods	Nuisance abatement, planning/development advice, private sector housing standards
Mar 17	Environment, Growth & Planning	Planning services	Policy
Apr 17	Customer Services	Call Centre	Call handling / queries / payments
May 17	Operations Division	Street-scene	Markets
	Environmental & Community Health Services	Environmental Protection	Nuisance monitoring & abatement; contaminated land remediation.

**Annex A**

Jun 17	Financial Services	Audit/Procurement	Audit, risk management & insurance. Procurement
Jun 17	Customer Services	Housing	Housing Register, Homelessness, advice & options

